

COMPLETED

FILE COPY

KIT ENTERPRISES/EVERGREEN ENVIRONMENTAL INDUSTRIES
471 Division Street
Elizabeth/Union

Kit Enterprises first began to operate their Elizabeth facility in 1978. NJDEP permitted them under a Temporary Operating Authorization until 1980. However, the company continued to operate until 1982. During their years of operation, the facility accepted waste oils for chemical processing and treatment.

In 1982 NJDEP took samples from one of the above ground storage tanks and found PCB contamination. The facility was ordered closed until the source of the contamination could be found. This decision caused a lot of controversy with the company and also with local officials. After several meetings with the lab that ran the analysis and the experts in the PCB analysis field, NJDEP decided that the lab results were incorrect.

However, during this time period, Kit Enterprises was evicted from their property for not paying their rent. When this occurred, NJDEP did extensive sampling of the site and found PCB's along with several other contaminants.

Waste Conversions was hired to remove the 94,600 gallons of waste that were left on-site. This was done in 1983. A windshield survey in 1986 revealed that all storage tanks and equipment have been removed from the site.

Tree Realty, current owners of the site, are in the process of drilling wells and taking environmental samples to confirm that the site has been totally remediated. They have assured NJDEP that they will be responsible for any other clean-up that is necessary. Therefore, I am giving this site a low priority.

Submitted by:

Helen Kornitas
HSMS IV

Hours worked: 35

232997



PRELIMINARY ASSESSMENT FILE SEARCH

NJDEP

DIVISION OF WATER RESOURCES:

- A. Enforcement _____
- B. Groundwater _____
- C. Other _____

DIVISION OF WASTE MANAGEMENT:

- A. HSMA Roman Lozeki 4-2290 Project Manager
Yardville
- B. Enforcement Metro Field Office Wayne Howitz 6-3403
Hightstown
- C. Solid Waste Red Rutowski 859-2958

ENVIRONMENTAL QUALITY:

- A. Air Pollution _____
- B. Pesticides _____
- C. Other _____

DIVISION OF FISH AND GAME: _____

OFFICE OF SCIENCE AND RESEARCH: _____

- A. Industrial Survey _____
- B. Other _____

N.J. DEPARTMENT OF HEALTH: _____

LOCAL AUTHORITIES:

- A. Health Department _____
- B. Town or County Clerk _____

UNITED STATES GOVERNMENT:

- A. EPA _____
- B. other _____



Preliminary Assessment

KIT ENTERPRISES/EVERGREEN ENVIRONMENTAL INDUSTRIES
471 Division Street
Elizabeth/Union



POTENTIAL HAZARDOUS WASTE SITE
PRELIMINARY ASSESSMENT
PART 1 - SITE INFORMATION AND ASSESSMENT

I. IDENTIFICATION

01 STATE 02 SITE NUMBER
NJ D096873922

II. SITE NAME AND LOCATION

| | |
|---|--|
| 01 SITE NAME (Name, address, or description of site) Kit Enterprises | 02 STREET, ROUTE NO., OR SPECIFIC LOCATION IDENTIFIER 471 Division St. |
| 03 CITY Elizabeth | 04 STATE 05 ZIP CODE 06 COUNTY 07 COUNTY CODE 08 CONG DIST NJ 07201 Union |
| 09 COORDINATES LATITUDE LONGITUDE 40° 39' 53" 74° 11' 45" | Lot 8 Block 428I |

10 DIRECTIONS TO SITE (Starting from nearest public road)

From Trenton take Rt. 1-9 to Elizabeth. In Elizabeth make a right onto Magnolia Ave. Take this to Division St. Make a left, then a quick right onto York St. Site is on the lefthand side. It looks like an abandoned field w/a water tower on site.

III. RESPONSIBLE PARTIES

| | |
|--|--|
| 01 OWNER (if known) Paul Francisco | 02 STREET (Business, mailing, residential) 471 Division St. |
| 03 CITY Elizabeth | 04 STATE 05 ZIP CODE 06 TELEPHONE NUMBER NJ Union () |
| 07 OPERATOR (If known and different from owner) | 08 STREET (Business, mailing, residential) |
| 09 CITY | 10 STATE 11 ZIP CODE 12 TELEPHONE NUMBER () |
| 13 TYPE OF OWNERSHIP (Check one) <input checked="" type="checkbox"/> A. PRIVATE <input type="checkbox"/> B. FEDERAL (Agency name) <input type="checkbox"/> C. STATE <input type="checkbox"/> D. COUNTY <input type="checkbox"/> E. MUNICIPAL <input type="checkbox"/> F. OTHER (Specify) <input type="checkbox"/> G. UNKNOWN | |

14 OWNER/OPERATOR NOTIFICATION ON FILE (Check one)

☐ A. RCRA 3001: DATE RECEIVED: MONTH DAY YEAR ☐ B. UNCONTROLLED WASTE SITE (CERCLA 103(c)) DATE RECEIVED: MONTH DAY YEAR ☒ C. NONE

IV. CHARACTERIZATION OF POTENTIAL HAZARD

| | |
|--|--|
| 01 ON SITE INSPECTION <input checked="" type="checkbox"/> YES DATE 1, 13, 82 <input type="checkbox"/> NO MONTH DAY YEAR | 02 BY (Check all that apply) <input type="checkbox"/> A. EPA <input type="checkbox"/> B. EPA CONTRACTOR <input checked="" type="checkbox"/> C. STATE <input type="checkbox"/> D. OTHER CONTRACTOR <input type="checkbox"/> E. LOCAL HEALTH OFFICIAL <input type="checkbox"/> F. OTHER (Specify) CONTRACTOR NAME(S): |
| 02 SITE STATUS (Check one) <input type="checkbox"/> A. ACTIVE <input checked="" type="checkbox"/> B. INACTIVE <input type="checkbox"/> C. UNKNOWN | 03 YEARS OF OPERATION 1979 1982 BEGINNING YEAR ENDING YEAR <input type="checkbox"/> UNKNOWN |

04 DESCRIPTION OF SUBSTANCES POSSIBLY PRESENT, KNOWN, OR ALLEGED

PCB contaminated oil was found in the oil storage tanks. Several other volatile organics were found including benzene, toluene, 1,1,1 trichloroethane and chloroform.

05 DESCRIPTION OF POTENTIAL HAZARD TO ENVIRONMENT AND/OR POPULATION

There is a potential hazard for contamination of the Elizabeth sewer system and of the surface waters of the Arthur Kill.

V. PRIORITY ASSESSMENT

01 PRIORITY FOR INSPECTION (Check one. If high or medium is checked, complete Part 2 - Waste Information and Part 3 - Description of Hazardous Conditions and Incidents)
☐ A. HIGH (Inspection required immediately) ☐ B. MEDIUM (Inspection required) ☒ C. LOW (Inspect on site within 60 days) ☐ D. NONE (No further action needed, determine current disposition form)

VI. INFORMATION AVAILABLE FROM

| | | |
|---|---|--|
| 01 CONTACT Helen E. Kornitas | 02 OF (Agency/Organization) NJDEP/HSMA | 03 TELEPHONE NUMBER 609, 633-2218 |
| 04 PERSON RESPONSIBLE FOR ASSESSMENT Helen E. Kornitas | 05 AGENCY NJDEP | 06 ORGANIZATION HSMA |
| 07 TELEPHONE NUMBER 609, 633-2218 | | 08 DATE 2, 28, 86 MONTH DAY YEAR |



POTENTIAL HAZARDOUS WASTE SITE
PRELIMINARY ASSESSMENT
PART 2 - WASTE INFORMATION

I. IDENTIFICATION
01 STATE 02 SITE NUMBER

II. WASTE STATES, QUANTITIES, AND CHARACTERISTICS

| | | |
|---|--|--|
| 01 WASTE STATES (Check all that apply) <input type="checkbox"/> A SOLID <input type="checkbox"/> B POWDER, FINES <input type="checkbox"/> C SLUDGE <input type="checkbox"/> D OTHER (Specify) _____ <input type="checkbox"/> E SLURRY <input type="checkbox"/> F LIQUID <input type="checkbox"/> G GAS | 02 WASTE QUANTITY AT SITE (Measurements of waste quantities must be independent) TONS _____ CUBIC YARDS _____ NO. OF DRUMS _____ | 03 WASTE CHARACTERISTICS (Check all that apply) <input type="checkbox"/> A TOXIC <input type="checkbox"/> B CORROSIVE <input type="checkbox"/> C RADIOACTIVE <input type="checkbox"/> D PERSISTENT <input type="checkbox"/> E SOLUBLE <input type="checkbox"/> F INFECTIOUS <input type="checkbox"/> G FLAMMABLE <input type="checkbox"/> H IGNITABLE <input type="checkbox"/> I HIGHLY VOLATILE <input type="checkbox"/> J EXPLOSIVE <input type="checkbox"/> K REACTIVE <input type="checkbox"/> L INCOMPATIBLE <input type="checkbox"/> M NOT APPLICABLE |
|---|--|--|

III. WASTE TYPE

| CATEGORY | SUBSTANCE NAME | 01 GROSS AMOUNT | 02 UNIT OF MEASURE | 03 COMMENTS |
|----------|-------------------------|-----------------|--------------------|------------------------------|
| SLU | SLUDGE | 35,000 | gallons | Removed by Waste Conversions |
| OLW | OLY WASTE | 59,600 | gallons | Removed by Waste Conversions |
| SOL | SOLVENTS | | | (Attachment B) |
| PSD | PESTICIDES | | | |
| OCC | OTHER ORGANIC CHEMICALS | | | |
| IOC | INORGANIC CHEMICALS | | | |
| ACD | ACIDS | | | |
| BAS | BASES | | | |
| MES | HEAVY METALS | | | |

IV. HAZARDOUS SUBSTANCES (See Appendix for most frequently used CAS Numbers)

| 01 CATEGORY | 02 SUBSTANCE NAME | 03 CAS NUMBER | 04 STORAGE/ DISPOSAL METHOD | 05 CONCENTRATION | 06 MEASURE OF CONCENTRATION |
|-------------|-----------------------|---------------|-----------------------------|------------------|-----------------------------|
| OLW | 1,1 Dichloroethylene | 75-35-4 | Aboveground tanks | 0.64 | ppm |
| OLW | Chloroform | 67-66-3 | Aboveground tanks | 0.41 | ppm |
| OLW | 1,2 Dichloroethylene | 540-59-9 | Aboveground tanks | 0.92 | ppm |
| OLW | 1,1,1 Trichloroethane | 71-55-6 | Aboveground tanks | 24.3 | ppm |
| OLW | Carbon Tetrachloride | 56-23-5 | Aboveground tanks | 5.48 | ppm |
| OLW | 1,1 Dichloropropane | 999 | Aboveground tanks | 0.058 | ppm |
| OLW | Bromoform | 75-25-2 | Aboveground tanks | 0.05 | ppm |
| OLW | 1,3 Dichlorobenzene | 999 | Aboveground tanks | 1.5 | ppm |
| OLW | 1,4 Dichlorobenzene | 106-46-7 | Aboveground tanks | 1.5 | ppm |
| OLW | 1,2 Dichlorobenzene | 95-50-1 | Aboveground tanks | 26.6 | ppm |
| OLW | Benzene | 71-43-2 | Aboveground tanks | 24 | ppm |
| OLW | Toluene | 108-88-3 | Aboveground tanks | 119 | ppm |
| OLW | Chlorobenzene | 108-90-7 | Aboveground tanks | 2.3 | ppm |
| OLW | Ethylbenzene | 100-41-4 | Aboveground tanks | 27.5 | ppm |
| OLW | Xylenes | 1330-20-7 | Aboveground tanks | 96.7 | ppm |
| OLW | PCB's | 999 | Aboveground Tanks | 22.7 | ppm |

V. FEEDSTOCKS (See Appendix for CAS Numbers)

| CATEGORY | 01 FEEDSTOCK NAME | 02 CAS NUMBER | CATEGORY | 01 FEEDSTOCK NAME | 02 CAS NUMBER |
|----------|-------------------|---------------|----------|-------------------|---------------|
| FDS | | | FDS | | |
| FDS | | | FDS | | |
| FDS | | | FDS | | |
| FDS | | | FDS | | |

VI. SOURCES OF INFORMATION (See Appendix for references, e.g., State laws, National Emergency Reports)

Files available at NJDEP-DWM-BFO Metro Field Office
Attachment A - Field Record of Violation (1/13/82)
Attachment B - Bill From Waste Conversion Inc. for clean-up (9/13/83)
Attachment C - Analytical Results-Princeton Aqua Science (9/30/81)



POTENTIAL HAZARDOUS WASTE SITE
PRELIMINARY ASSESSMENT

PART 3 - DESCRIPTION OF HAZARDOUS CONDITIONS AND INCIDENTS

I. IDENTIFICATION

01 STATE 02 SITE NUMBER

II. HAZARDOUS CONDITIONS AND INCIDENTS

01 ☒ A. GROUNDWATER CONTAMINATION

03 POPULATION POTENTIALLY AFFECTED: _____

02 ☐ OBSERVED (DATE _____)

04 NARRATIVE DESCRIPTION

☒ POTENTIAL

☐ ALLEGED

Because trenches and clarifier have been allowed to overflow, there is a possibility for groundwater contamination. (Attachment D)

01 ☒ B. SURFACE WATER CONTAMINATION

03 POPULATION POTENTIALLY AFFECTED: _____

02 ☒ OBSERVED (DATE 2/19/82)

04 NARRATIVE DESCRIPTION

☐ POTENTIAL

☐ ALLEGED

Storm sewers leading to the surface waters of the Arthur Kill have been contaminated by illegal dumping at Kit Enterprises. (Attachments E & F)

01 ☐ C. CONTAMINATION OF AIR

03 POPULATION POTENTIALLY AFFECTED: _____

02 ☐ OBSERVED (DATE _____)

04 NARRATIVE DESCRIPTION

☐ POTENTIAL

☐ ALLEGED

01 ☒ D. FIRE/EXPLOSIVE CONDITIONS

03 POPULATION POTENTIALLY AFFECTED: _____

02 ☐ OBSERVED (DATE _____)

04 NARRATIVE DESCRIPTION

☒ POTENTIAL

☐ ALLEGED

Although unlikely, there is a possibility for a fire to occur due to all the oil onsite.

01 ☐ E. DIRECT CONTACT

03 POPULATION POTENTIALLY AFFECTED: _____

02 ☐ OBSERVED (DATE _____)

04 NARRATIVE DESCRIPTION

☐ POTENTIAL

☐ ALLEGED

Area is fenced and locked

01 ☒ F. CONTAMINATION OF SOIL

03 AREA POTENTIALLY AFFECTED: _____
(Acres)

02 ☒ OBSERVED (DATE Several Occasions)

04 NARRATIVE DESCRIPTION

☐ POTENTIAL

☐ ALLEGED

Because trenches and clarifier have been allowed to overflow, there is a potential for soil contamination. (Attachment D)

01 ☐ G. DRINKING WATER CONTAMINATION

03 POPULATION POTENTIALLY AFFECTED: _____

02 ☐ OBSERVED (DATE _____)

04 NARRATIVE DESCRIPTION

☐ POTENTIAL

☐ ALLEGED

01 ☐ H. WORKER EXPOSURE/INJURY

03 WORKERS POTENTIALLY AFFECTED: _____

02 ☐ OBSERVED (DATE _____)

04 NARRATIVE DESCRIPTION

☐ POTENTIAL

☐ ALLEGED

Company is not in operation. (Attachment D)

01 ☐ I. POPULATION EXPOSURE/INJURY

03 POPULATION POTENTIALLY AFFECTED: _____

02 ☐ OBSERVED (DATE _____)

04 NARRATIVE DESCRIPTION

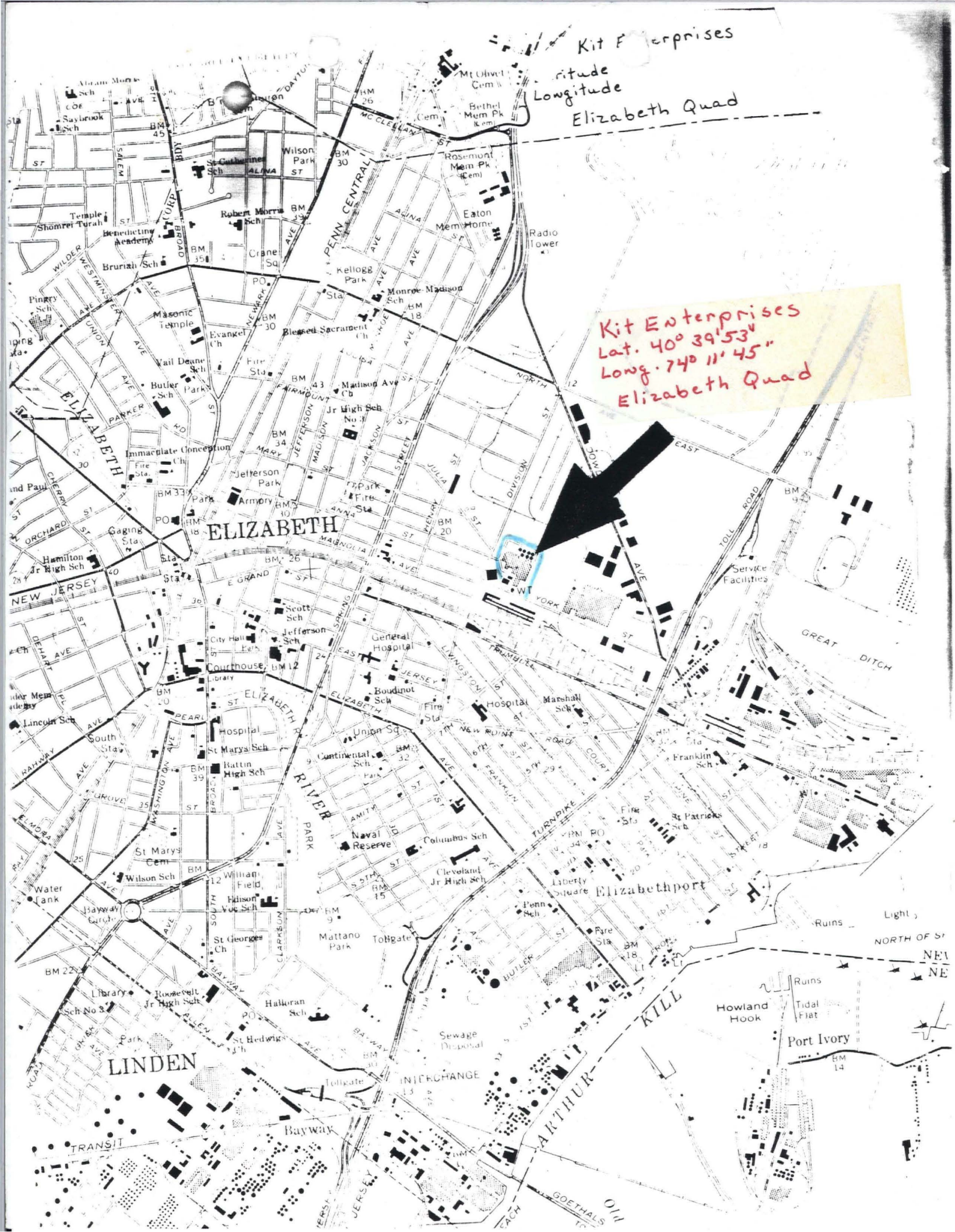
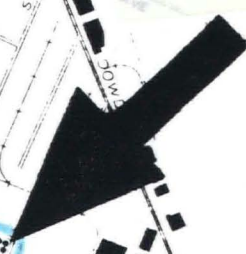
☐ POTENTIAL

☐ ALLEGED

Site is fenced and kept locked.

Kit Enterprises
Latitude
Longitude
Elizabeth Quad

Kit Enterprises
Lat. 40° 39' 53"
Long. 74° 11' 45"
Elizabeth Quad





POTENTIAL HAZARDOUS WASTE SITE
PRELIMINARY ASSESSMENT
PART 3 - DESCRIPTION OF HAZARDOUS CONDITIONS AND INCIDENTS

I. IDENTIFICATION
01 STATE 02 SITE NUMBER

II. HAZARDOUS CONDITIONS AND INCIDENTS (Continued)

01 ☐ J. DAMAGE TO FLORA
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: _____) ☐ POTENTIAL ☐ ALLEGED

01 ☐ K. DAMAGE TO FAUNA
04 NARRATIVE DESCRIPTION (Include name(s) of species)

02 ☐ OBSERVED (DATE: _____) ☐ POTENTIAL ☐ ALLEGED

01 ☐ L. CONTAMINATION OF FOOD CHAIN
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: _____) ☐ POTENTIAL ☐ ALLEGED

01 ☒ M. UNSTABLE CONTAINMENT OF WASTES
(Leak, runoff, standing liquid, rising ground)
03 POPULATION POTENTIALLY AFFECTED: _____

02 ☒ OBSERVED (DATE: 4/20/83) ☐ POTENTIAL ☐ ALLEGED

04 NARRATIVE DESCRIPTION

Trenches and clarifier are overflowing. (Attachment D)

01 ☐ N. DAMAGE TO OFFSITE PROPERTY
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: _____) ☐ POTENTIAL ☐ ALLEGED

01 ☒ O. CONTAMINATION OF SEWERS, STORM DRAINS, WWTPs
04 NARRATIVE DESCRIPTION

02 ☒ OBSERVED (DATE: 2/19/82) ☐ POTENTIAL ☐ ALLEGED

Elizabeth sewers have been contaminated with wastes from Kit Enterprises (Attachments E & F)

01 ☒ P. ILLEGAL/UNAUTHORIZED DUMPING
04 NARRATIVE DESCRIPTION

02 ☒ OBSERVED (DATE: 2/19/82) ☐ POTENTIAL ☐ ALLEGED

Illegal dumping into city sewer system. (Attachments E & F)

05 DESCRIPTION OF ANY OTHER KNOWN, POTENTIAL, OR ALLEGED HAZARDS

III. TOTAL POPULATION POTENTIALLY AFFECTED: _____

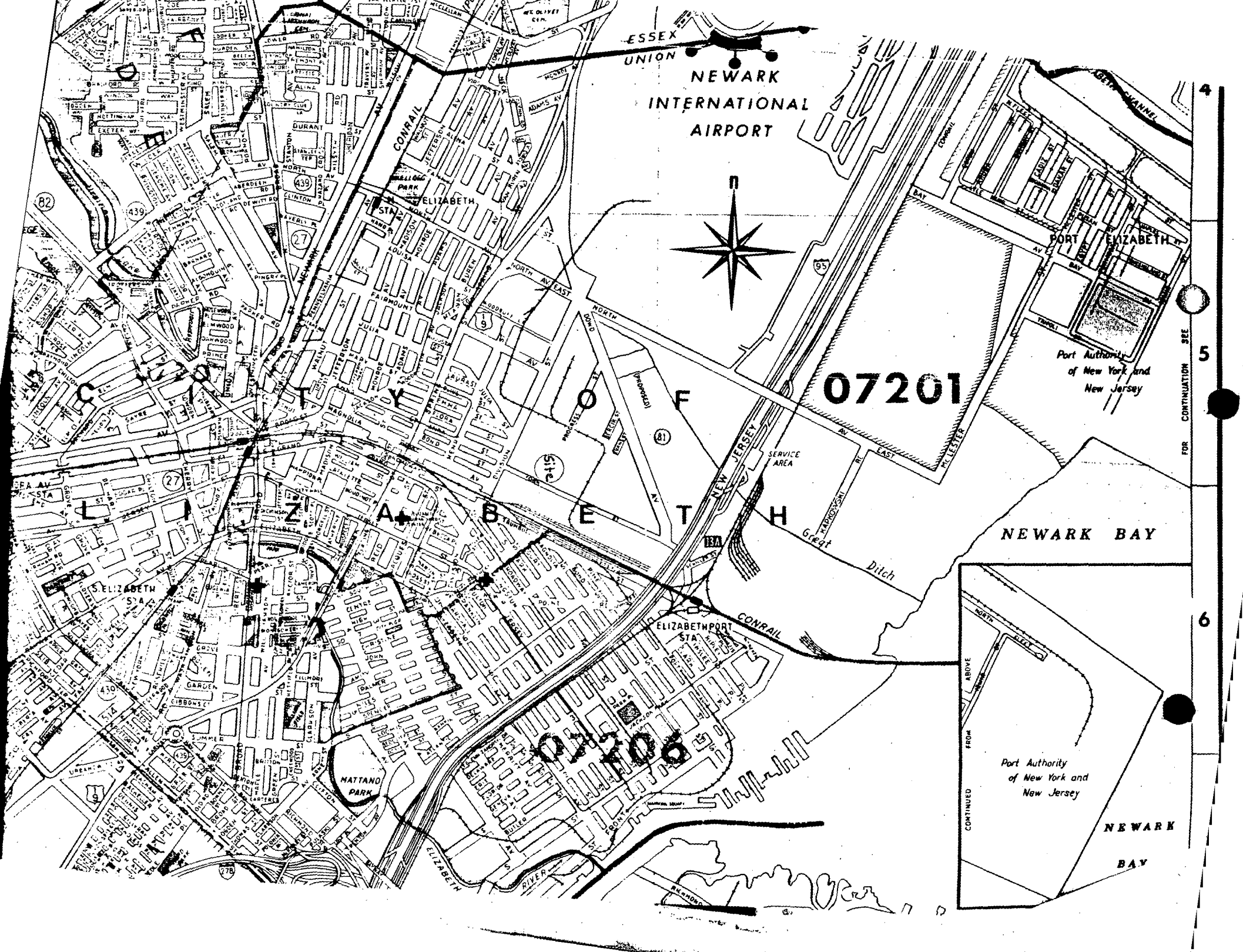
IV. COMMENTS

Site was cleaned up by Waste Conversions in April 1983. More sampling and remedial work is being done at the site. (Attachments H & I)

V. SOURCES OF INFORMATION (See APPENDIX for codes. If source has written reports, report)

Attachment D - Memo to George Smajda (4/20/83)
Attachment E - Mem from Cathy Pullizzi (Joint Meeting)
Attachment F - News Release from Attorney General I. Kimmelman (5/23/83)

Attachment G - Letter from D. Highland D.A.G. (2/28/84)
Attachment H - Letter from Dan Raviv (11/25/85) DWM-BSM
Attachment I - Analytical results (December 1985)



NEWARK
INTERNATIONAL
AIRPORT

07201

07208

NEWARK BAY

NEWARK
BAY

FOR CONTINUATION SEE

4

5

6

PLEASE PRINT

NEW JERSEY STATE DEPARTMENT OF
ENVIRONMENTAL PROTECTION
FIELD RECORD OF VIOLATION

HW/EE 20-11-16

VIOLATION

DATE 1-13-82
2/5/82

TIME AT SITE 0930

a.m.

p.m.

1500

a.m.

p.m.

ID NUMBER 8004A

P20/15

Sec A

FULL BUSINESS NAME Evergreen Environmental Industries

MAILING ADDRESS 125 Broad Street

Elizabeth

07201

No.

Street

Post Office

Zip Code

PHONE NUMBER _____

TYPE OF OWNERSHIP

NAME OF OWNER, PARTNERS, OFFICERS, OFFICIALS

TITLE

Individual _____

Partnership _____

Corporation X

Municipal (type) _____

Mark First

R.A.

15 Chancery Lane

Trenton NJ 08618

PERSONS INTERVIEWED/COMMENTS/PHONE # _____

Sec B

LOCATION ADDRESS 471 Division Street

Elizabeth

Union

No.

Street

Municipality

County

(Show details on reverse side) Book Plate _____ Lot 8 Block 428I

OWNER Paul Francisco

Same as above

Name

No.

Street

City

Sec C

CODE REFERENCE

Chapter(s) 7.26

Section(s) 7.6

Paragraph(s) (b) et seq.

105X

DETAILS On or about 1/13/82 Evergreen accepted a manifested load of waste from Allied Kelite on manifest number NJ 0093896, handled by Aucter Ind Vac Service. Material was not signed off by Evergreen and Driver left with manifest. Evergreen had no record in their log book of receipt. According to Brian Aucter, owner of Vac Service manifest had been misplaced. This is a violation of above code, failure to properly complete the TSD section of manifest, failure to forward their section of manifest to Department and failure to maintain a copy of manifest.

REMARKS The manifest number was N.J. 93896, generated by Allied Kelite

RECOMMENDED ACTION NOP penalty
CEASE & DESIST

FINELTV \$1000

COORDINATE WITH DAG DAVE SCHACIDER

REVIEWED BY

JB 2/10/82 + 3/8/82
Lg 3/8/82

DATE

Thomas W Downey

INSPECTOR (SIGNATURE)

Thomas W Downey

Attachment A.1
Sen. Encl. Spec.

WASTE CONVERSION

INC.

2869 Sandstone Drive / Hatfield, Penna. 19440

INVOICE

8367

EXHIBIT C-1

S
O
L
D
T
O

State of New Jersey
Department of Environmental Protection
Department of Law & Public Safety
Division of Law
Richard J. Hughes Complex
CN-112
Trenton, NJ 08625
ATTN: ~~DAG David Schneider~~

THIS BILL IS DUE FOR
PAYMENT ON:
Upon Presentation

| DATE 9/13/83 | | CUSTOMER'S ORDER NO. | | SHIP VIA P/U | <input type="checkbox"/> COD <input type="checkbox"/> Cash <input type="checkbox"/> Check | TERMS Upon Presentation | |
|-----------------|----------|----------------------|---|-----------------|---|----------------------------|-----------------|
| PICK-UP DATE | QUANTITY | BILL OF LADING NO. | DESCRIPTION | | DELAY TIME | UNIT PRICE | TOTAL AMOUNT |
| | | | (See attached for breakdown on Evergreen Environmental/Kit job) | | | | |
| | | | (This invoice replaces invoice numbers 6889, 6890, 6891, 6892, 6893, 6990, and 6995). | | | | |
| | | | (Above as per instructions from R. Hargrove). | | | | |
| | | | TOTAL DUE | | | | \$23,323.00 |

Thank You... We appreciate your business.

TOTAL AMOUNT
DUE → \$23,323.00

| DATE | DESCRIPTION | GALLONS | B/L NO. | DELAY | LAB | UNIT PRICE | TOTAL |
|-------|--------------------------|----------------|---------|-----------|----------|-------------|-------------|
| 5/83 | W/W, n.o.s., with oil | 5,000 | 4993 | 2 Hr. | \$400.00 | \$0.46/Gal. | \$ 2,300.00 |
| 5/83 | W/W, n.o.s., with oil | 5,000 | 4994 | 1½ Hr. | ----- | 0.46/Gal. | 2,300.00 |
| 5/83 | W/W, n.o.s., with oil | 5,000 | 4992 | 1½ Hr. | ----- | 0.46/Gal. | 2,300.00 |
| 3/83 | W/W, n.o.s., with oil | 5,000 | 5092 | 1½ Hr. | ----- | 0.46/Gal. | 2,300.00 |
| 8/83 | W/W, n.o.s., with oil | 5,000 | 5088 | 1½ Hr. | ----- | 0.46/Gal. | 2,300.00 |
| 9/83 | W/W Sludge, n.o.s. w/oil | 4,500 | 5089 | 1½ Hr. | \$400.00 | 0.46/Gal. | 2,070.00 |
| 10/83 | W/W Sludge, n.o.s. w/oil | 5,000 | 5109 | 2 Hr. | ----- | 0.46/Gal. | 2,300.00 |
| 12/83 | W/W Sludge, n.o.s. w/oil | 3,500 | 5090 | 3-3/4 Hr. | ---- | 0.46/Gal. | 1,610.00 |
| 26/83 | W/W, n.o.s., with oil | 4,800 | P2113 | 1½ Hr. | ----- | 0.46/Gal. | 2,208.00 |
| 28/83 | W/W Sludge, n.o.s. w/oil | 4,500 | 5220 | 1½ Hr. | ----- | 0.46/Gal. | 2,070.00 |
| | | 47,300 Gallons | | 17 Hours | | | 21,758.00 |

Total Gallons 47,300 @ \$0.46/Gallon.....\$ 21,758.00

Total Hours 17 @ \$45.00/Hour..... 765.00

Lab Fees 2 @ \$400.00/Each..... 800.00

TOTAL DUE.....\$ 23,323.00

EXHIBIT C-2

WASTE CONVERSION INC.

2869 Sandstone Drive / Hatfield, Pennsylvania 19440 / 215-822-8996

EVERGREEN ENVIRONMENTAL/KIT
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
SUMMARY OF LOADS

| <u>B/L NO.</u> | <u>DATE</u> | <u>GALLONS</u> | <u>DESCRIPTION</u> | <u>MANIFEST NO.</u> | <u>WASTE CLASSIFICATION</u> |
|----------------|-------------|----------------|--------------------------------------|---------------------|-----------------------------|
| 4993 | 4/15/83 | 5,000 | Waste Water, n.o.s., with oil | NJ 0035696 | X-726 |
| 4994 | 4/15/83 | 5,000 | Waste Water, n.o.s., with oil | NJ 0035695 | X-726 |
| 4992 | 4/15/83 | 5,000 | Waste Water, n.o.s., with oil | NJ 0035694 | X-726 |
| 5092 | 4/18/83 | 5,000 | Waste Water, n.o.s., with oil | NJ 0035697 | X-726 |
| 5088 | 4/18/83 | 5,000 | Waste Water, n.o.s., with oil | NJ 0035700 | X-726 |
| 5089 | 4/19/83 | 4,500 | Waste Water Sludge, n.o.s., with oil | NJ 0158100 | X-726 |
| 5109 | 4/20/83 | 5,000 | Waste Water Sludge, n.o.s., with oil | NJ 0035699 | X-726 |
| 5090 | 4/22/83 | 3,500 | Waste Water Sludge, n.o.s., with oil | NJ 0035698 | X-726 |
| P2113 | 4/26/83 | 4,800 | Waste Water, n.o.s., with oil | NJ 0158083 | X-726 |
| 5220 | 4/28/83 | 4,500 | Waste Water Sludge, n.o.s., with oil | NJ 0158089 | X-726 |

EXHIBIT C-3

/26/83



The Environmental Assessment Council of PRINCETON AQUA SCIENCE

789 Jersey Avenue • P.O. Box 151 • New Brunswick, New Jersey 08902 • Telephone (201) 846-8800

September 30, 1981

Mr. Wayne Howitz
N.J. Dept. of Environmental Protection,
Solid Waste Administration
32 East Hanover Street
Trenton, New Jersey 08625

Dear Mr. Howitz:

Analysis of your 16 samples received September 4, 1981 is complete. Please find the results on the enclosed table. Included are the chromatograms for all analyses.

All determinations were performed in accordance with Standard Methods, 15 Edition (1980), Test Methods for Evaluating Solid Waste (EPA 1980), for Petroleum Product Analysis. If there are any questions, please feel free to contact me.

Very truly yours,

PRINCETON AQUA SCIENCE

A handwritten signature in cursive script, appearing to read 'John Cirello', is written over the typed name.

John Cirello, Ph.D., P.E.
Vice President

JC/mjs
Enclosure
#1337



PRINCETON AQUA SCIENCE

789 Jersey Avenue • P.O. Box 151 • New Brunswick, New Jersey 08902 • Telephone (201) 846-8800

| | | | |
|--------------|---|--------------|----------------|
| Company | <u>N.J. Dept. of Environmental Protection</u> | Job #: | <u>1337</u> |
| | <u>Solid Waste Administration</u> | Date: | <u>9/30/81</u> |
| Address | <u>32 E. Hanover Street</u> | Auth.: | <u>298877</u> |
| | | Lot #: | <u>578</u> |
| City | <u>Trenton</u> | Invoice #: | <u>3587</u> |
| State | <u>NJ</u> | Sample Date: | <u>9/4/81</u> |
| Zip | <u>08625</u> | | |
| To Attn. of: | <u>Mr. Wayne Howitz</u> | Page | <u>1A</u> |

REPORT OF ANALYSIS

| <u>Purgeable Halocarbons</u> | <u>WH096</u> <u>(ppm)</u> | <u>WH098</u> <u>(ppm)</u> | <u>WH100</u> <u>(ppm)</u> | <u>WH102</u> <u>(ppm)</u> |
|---|------------------------------|------------------------------|------------------------------|------------------------------|
| 1,1-Dichloroethylene | 0.640 | 0.803 | ND ¹ | 0.147 |
| Chloroform & 1,2-Dichloro- ethane | ND ¹ | 0.410 | 0.526 | ND ¹ |
| 1,2-Dichloroethylene | ND ¹ | 0.923 | ND ¹ | ND ¹ |
| 1,1,1-Trichloroethane | 24.3 | 0.813 | 9.20 | ND ¹ |
| Carbon Tetrachloride | ND ¹ | ND ¹ | 5.48 | ND ¹ |
| 1,1-Dichloropropane | ND ¹ | ND ¹ | ND ¹ | 0.058 |
| Trichloroethylene, Chlorodibromomethane & 1,1,2-Trichloroethane | 3.06 | ND ¹ | 1.33 | 0.058 |
| Bromoform | 0.050 | ND ¹ | 0.191 | ND ¹ |
| 1,1,2,2-Tetrachloroethane & Tetrachloroethylene | 1.58 | ND ¹ | 0.713 | 0.645 |
| 1,3-Dichlorobenzene | ND ¹ | 1.50 | 5.57 | ND ¹ |
| 1,4-Dichlorobenzene | ND ¹ | 1.50 | ND ¹ | ND ¹ |
| 1,2-Dichlorobenzene | ND ¹ | ND ¹ | 26.6 | ND ¹ |

ND¹ - Non Detectable less than 0.025 ppm



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| | | | |
|--------------|--|--------------|---------|
| Company | N.J. Dept. of Environmental Protection | Job #: | 1337 |
| | Solid Waste Administration | Date: | 9/30/81 |
| Address | 32 E. Hanover Street | Auth.: | 298877 |
| | | Lot #: | 578 |
| City | Trenton | State | NJ |
| | | Zip | 08625 |
| | | Invoice #: | 3587 |
| To Attn. of: | Mr. Wayne Howitz | Sample Date: | 9/4/81 |
| | | Page | 1B |

REPORT OF ANALYSIS

| <u>Purgeable Halocarbons</u> | <u>WH104</u> <u>(ppm)</u> | <u>WH106</u> <u>(ppm)</u> | <u>WH108</u> <u>(ppm)</u> | <u>WH110</u> <u>(ppm)</u> |
|---|------------------------------|------------------------------|------------------------------|------------------------------|
| 1,1-Dichloroethylene | 0.302 | 0.178 | 0.392 | ND ¹ |
| Chloroform & 1,2-Dichloro- ethane | ND ¹ | ND ¹ | 0.316 | ND ¹ |
| 1,2-Dichloroethylene | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| 1,1,1-Trichloroethane | 7.28 | 2.08 | 26.0 | 2.75 |
| Carbon Tetrachloride | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| 1,1-Dichloropropane | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| Trichloroethylene, Chlorodibromomethane & 1,1,2-Trichloroethane | 2.57 | 0.740 | 4.56 | ND ¹ |
| Bromoform | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| 1,1,2,2-Tetrachloroethane & Tetrachloroethylene | ND ¹ | 0.840 | 1.38 | 0.235 |
| 1,3-Dichlorobenzene | ND ¹ | 1.30 | ND ¹ | ND ¹ |
| 1,4-Dichlorobenzene | 29.4 | 1.66 | 66.7 | 4.52 |
| 1,2-Dichlorobenzene | 181 | 3.14 | 950 | 9.00 |



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| | | | |
|--------------|--|--------------|---------|
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| | Solid Waste Administration | Date: | 9/30/81 |
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| City | Trenton | State | NJ |
| | | Zip | 08625 |
| | | Invoice #: | 3587 |
| To Attn. of: | Mr. Wayne Howitz | Sample Date: | 9/4/81 |
| | | Page | 1C |

REPORT OF ANALYSIS

| <u>Purgeable Halocarbons</u> | <u>WH112</u> <u>(ppm)</u> | <u>WH114</u> <u>(ppm)</u> | <u>WH116</u> <u>(ppm)</u> | <u>WH118</u> <u>(ppm)</u> |
|---|------------------------------|------------------------------|------------------------------|------------------------------|
| 1,1-Dichloroethylene | 0.041 | 0.048 | ND ¹ | ND ¹ |
| Chloroform & 1,2-Dichloro- ethane | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| 1,2-Dichloroethylene | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| 1,1,1-Trichloroethane | 9.92 | 2.90 | 1.92 | 3.02 |
| Carbon Tetrachloride | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| 1,1-Dichloropropane | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| Trichloroethylene, Chlorodibromomethane & 1,1,2-Trichloroethane | ND ¹ | 0.124 | 0.310 | ND ¹ |
| Bromoform | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| 1,1,2,2-Tetrachloroethane & Tetrachloroethylene | 0.396 | ND ¹ | 0.076 | 0.186 |
| 1,3-Dichlorobenzene | 3.30 | ND ¹ | ND ¹ | ND ¹ |
| 1,4-Dichlorobenzene | 5.30 | 1.60 | 1.14 | 5.60 |
| 1,2-Dichlorobenzene | 11.7 | 6.00 | 6.80 | 17.2 |



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| | | | |
|--------------|--|--------------|---------|
| Company | N.J. Dept. of Environmental Protection | Job #: | 1337 |
| | Solid Waste Administration | Date: | 9/30/81 |
| Address | 32 E. Hanover Street | Auth.: | 298877 |
| | | Lot #: | 578 |
| City | Trenton | Invoice #: | 3587 |
| State | NJ | Sample Date: | 9/4/81 |
| Zip | 08625 | | |
| To Attn. of: | Mr. Wayne Howitz | Page | 10 |

REPORT OF ANALYSIS

| <u>Purgeable Halocarbons</u> | <u>WH120 (ppm)</u> | <u>WH122 (ppm)</u> | <u>WH124 (ppm)</u> | <u>WH126 (ppm)</u> |
|---|------------------------|------------------------|------------------------|------------------------|
| 1,1-Dichloroethylene | 0.108 | ND ¹ | ND ¹ | 0.828 |
| Chloroform & 1,2-Dichloro- ethane | 0.138 | ND ¹ | 0.138 | 0.364 |
| 1,2-Dichloroethylene | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| 1,1,1-Trichloroethane | ND ¹ | 0.218 | 3.30 | 4.49 |
| Carbon Tetrachloride | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| 1,1-Dichloropropane | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| Trichloroethylene, Chlorodibromomethane & 1,1,2-Trichloroethane | 0.087 | ND ¹ | 0.610 | 2.80 |
| Bromoform | ND ¹ | ND ¹ | ND ¹ | 0.640 |
| 1,1,2,2-Tetrachloroethane & Tetrachloroethylene | 0.217 | 0.598 | 0.109 | 0.221 |
| 1,3-Dichlorobenzene | ND ¹ | ND ¹ | ND ¹ | ND ¹ |
| 1,4-Dichlorobenzene | 32.0 | 9.90 | ND ¹ | 10.3 |
| 1,2-Dichlorobenzene | 9.20 | 102 | 15.0 | 71.0 |



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| | | | |
|--------------|---|--------------|----------------|
| Company | <u>N.J. Dept. of Environmental Protection</u> | Job #: | <u>1337</u> |
| | <u>Solid Waste Administration</u> | Date: | <u>9/30/81</u> |
| Address | <u>32 E. Hanover Street</u> | Auth.: | <u>298877</u> |
| | | Lot #: | <u>578</u> |
| City | <u>Trenton</u> | State | <u>NJ</u> |
| | | Zip | <u>08625</u> |
| | | Invoice #: | <u>3587</u> |
| To Attn. of: | <u>Mr. Wayne Howitz</u> | Sample Date: | <u>9/4/81</u> |
| | | Page | <u>2A</u> |

REPORT OF ANALYSIS

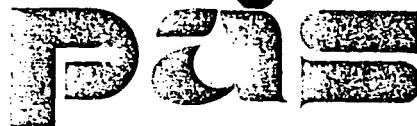
| | WH096 (ppm) | WH098 (ppm) | WH100 (ppm) | WH102 (ppm) |
|----------------------------|-----------------|----------------|----------------|-------------------|
| <u>Purgeable Aromatics</u> | | | | |
| Benzene | 1.96 | 0.375 | 24.0 | ND ² |
| Toluene | 25.6 | 8.70 | 119 | 8.03 |
| Chlorobenzene | 0.98 | 0.252 | 2.30 | 0.390 |
| Ethylbenzene | 10.0 | 10.3 | 27.7 | 7.65 |
| Total Xylenes | 32.1 | 27.7 | 96.7 | 30.4 |
| <u>PCB</u> | | | | |
| As Arochlor 1016 | ND ³ | 4.10 | 4.30 | 22.7 |
| <u>Additional Analysis</u> | | | | |
| Lead | 35.3 | 106 | 1,400 | 22.5 ⁵ |
| % Organic Halide | 0.411 | 0.222 | 0.323 | 0.152 |
| % Organic Chloride | 0.205 | 0.194 | 0.234 | 0.050 |

ND² - Non Detectable less than 0.025 ppm

ND³ - Non Detectable less than 3.0 ppm as determined using methodology for PCB's in waste oils.

ND⁴ - Non Detectable less than 0.050 ppm as determined using methodology for PCB's in water samples.

ND⁵ - 22.5 ppm of lead was found in the top oil layer of the sample which made up 10% of the sample. 0.640 ppm of lead was detected in the water phase.



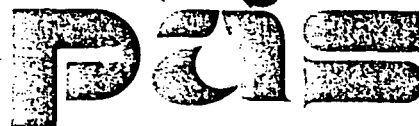
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Company N.J. Dept. of Environmental Protection Job #: 1337
Solid Waste Administration Date: 9/30/81
Address 32 E. Hanover Street Auth.: 298877
City Trenton State NJ Zip 08625 Lot #: 578
Invoice #: 3587
To Attn. of: Mr. Wayne Howitz Sample Date: 9/4/81
Page 2B

REPORT OF ANALYSIS

| <u>Purgeable Aromatics</u> | <u>WH104</u> <u>(ppm)</u> | <u>WH106</u> <u>(ppm)</u> | <u>WH108</u> <u>(ppm)</u> | <u>WH110</u> <u>(ppm)</u> |
|----------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| Benzene | 2.57 | 0.820 | 1.17 | 0.216 |
| Toluene | 73.5 | 5.70 | 91.6 | 11.1 |
| Chlorobenzene | 48.9 | ND ² | 42.2 | 1.66 |
| Ethylbenzene | 68.3 | 2.00 | 173 | 2.30 |
| Total Xylenes | 24.4 | 7.00 | 239 | 10.4 |
| <u>PCB</u> | | | | |
| As Arochlor 1016 | ND ³ | ND ³ | ND ⁴ | ND ⁴ |
| <u>Additional Analysis</u> | | | | |
| Lead | 278 | 24.3 | 134 | 16.7 |
| % Organic Halide | 1.21 | 0.232 | 0.245 | <0.010 |
| % Organic Chloride | 0.596 | 0.223 | 0.056 | <0.010 |



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| | | | |
|--------------|---|--------------|----------------|
| Company | <u>N.J. Dept. of Environmental Protection</u> | Job #: | <u>1337</u> |
| | <u>Solid Waste Administration</u> | Date: | <u>9/30/81</u> |
| Address | <u>32 E. Hanover Street</u> | Auth.: | <u>298877</u> |
| | | Lot #: | <u>578</u> |
| City | <u>Trenton</u> | State | <u>NJ</u> |
| | | Zip | <u>08625</u> |
| | | Invoice #: | <u>3587</u> |
| To Attn. of: | <u>Mr. Wayne Howitz</u> | Sample Date: | <u>9/4/81</u> |

Page 2C

REPORT OF ANALYSIS

| <u>Purgeable Aromatics</u> | <u>WH112</u> <u>(ppm)</u> | <u>WH114</u> <u>(ppm)</u> | <u>WH116</u> <u>(ppm)</u> | <u>WH118</u> <u>(ppm)</u> |
|----------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| Benzene | 0.685 | 0.374 | 0.220 | 0.542 |
| Toluene | 7.68 | 7.30 | 5.46 | 11.1 |
| Chlorobenzene | 0.800 | 0.800 | 0.439 | 1.27 |
| Ethylbenzene | 3.20 | 1.86 | 1.54 | 3.20 |
| Total Xylenes | 9.55 | 7.10 | 14.8 | 16.5 |
| <u>PCB</u> | | | | |
| As Arochlor 1016 | ND ⁴ | ND ⁴ | ND ⁴ | ND ⁴ |
| <u>Additional Analysis</u> | | | | |
| Lead | 14.2 | 13.2 | 9.8 | 6.86 |
| % Organic Halide | <0.010 | <0.010 | <0.010 | <0.010 |
| % Organic Chloride | <0.010 | <0.010 | <0.010 | <0.010 |



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| | | | |
|--------------|---|--------------|----------------|
| Company | <u>N.J. Dept. of Environmental Protection</u> | Job #: | <u>1337</u> |
| | <u>Solid Waste Administration</u> | Date: | <u>9/30/81</u> |
| Address | <u>32 E. Hanover Street</u> | Auth.: | <u>298877</u> |
| | | Lot #: | <u>578</u> |
| City | <u>Trenton</u> | State | <u>NJ</u> |
| | | Zip | <u>08625</u> |
| | | Invoice #: | <u>3587</u> |
| To Attn. of: | <u>Mr. Wayne Howitz</u> | Sample Date: | <u>9/4/81</u> |
| | | Page | <u>2D</u> |

REPORT OF ANALYSIS

| | WH120 (ppm) | WH122 (ppm) | WH124 (ppm) | WH126 (ppm) |
|----------------------------|-----------------|-----------------|-----------------|-----------------|
| <u>Purgeable Aromatics</u> | | | | |
| Benzene | 0.547 | 0.533 | 0.126 | 3.66 |
| Toluene | 10.3 | 26.7 | 8.60 | 42.4 |
| Chlorobenzene | 5.60 | ND ² | ND ² | 7.18 |
| Ethylbenzene | 4.10 | 50.9 | 8.80 | 202 |
| Total Xylenes | 10.0 | 44.2 | 12.9 | 527 |
| <u>PCB</u> | | | | |
| As Arochlor 1016 | ND ⁴ | ND ³ | ND ⁴ | ND ³ |
| <u>Additional Analysis</u> | | | | |
| Lead | 5.39 | 15.5 | - | - |
| % Organic Halide | <0.010 | 0.180 | - | - |
| % Organic Chloride | <0.010 | 0.095 | - | - |

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

MEMO

TO GEORGE SMAJDA
FROM TOM DOWNEY through KARL J. DELANEY DATE APRIL 20, 1983
SUBJECT EVERGREEN SITE CLEANUP - HWEF 20-11

BACKGROUND

Up until March, 1983, Evergreen Environmental Industries operated as a hazardous waste facility, first permitted by DEP in 1978 under a TOA (Temporary Operating Authorization.) This permit expired in 1980; however, company continued to operate pending outcome of negotiation with DEP. In March, 1982, the company was evicted by landlord for non-payment of rent. Since that time, property owner has failed to maintain and secure property. Property owner claims that the approximate 250,000 gallons of waste material on site is the responsibility of the DEP. Since March, 1982, I have personally inspected site at least once a week. Over the past year, process trenches and clarifier have filled with rainwater to the point of overflow. Trenches and clarifier contain petroleum oil, water, and sludge materials.

In the past, a contractor with a vacuum truck was hired and material was removed from trenches and clarifier and stored in tanks on site. Payment for contractor services was to be paid from an \$87,000.00. closure bond which Evergreen has posted as a requirement of TOA. This money is held in an escrow account. Bills for contractor's services have been forwarded to DAG David Schneider who must appeal to the court for release of funds to pay contractor. As of 4/5/83, all storage space on site had been utilized and the clarification and process trench are again overflowing to the soil. A determination is made to hire a state contractor (per Charles Strano) to decontaminate the clarifier and process trenches which will prevent future expenditure. A sewer plug will then be allowed to be removed and allow for proper drainage of the sites in question. The work is to be performed in phases as follows:

- 1) Hire a category H contractor for removal and disposal of all pumpable material from clarifier and process trenches;
- 2) Hire a category A contractor to decontaminate the clarifier and process trenches,
- 3) If contractor under Phase 2 is also a category H contractor, hire also for disposal services. If Phase 2 contractor has no contract in category H, retain contractor under Phase 1 for disposal of contamination waste,
- 4) Remove sewer plug.

Phase I is already in progress and Waste Conversion, Inc., has been retained for this facet of the operation.

Past estimates for this site work range from \$23,000 to \$51,000. DAG Schneider has approved the work and expenditures as required to complete the above noted work.

dlt

Attachment 01

JOINT MEETING

MAINTENANCE

IN THE MATTER OF AN OUTLET SEWER
AND TREATMENT PLANT
FOR CERTAIN MUNICIPALITIES
IN ESSEX AND UNION COUNTIES

500 SOUTH FIRST STREET
ELIZABETH, N. J. 07202

To: File
From: Cathy Pullizzi
Subj: Evergreen Environmental
Date: March 4, 1982

On February 19, 1982, a joint inspection was held at Evergreen Environmental by the Joint Meeting and the N.J. Department of Environmental Protection. Refer to memorandum by Allen S. Fornwald dated February 23, 1982.

The analytical results of the samples taken are as follows:
(All samples taken from Evergreen's 8 inch pipe entering manhole 1)
Results are expressed as milligrams per liter unless otherwise noted. N.A. means Not Analyzed.

| | | | |
|---------------------|-------|-------|-------|
| Sample ID | 82-81 | 82-82 | 82-83 |
| Sample Time | 1324 | 1345 | 1350 |
| pH (standard units) | 11.5 | 11.5 | 11.5 |
| Temperature °C | 10 | 10 | 10 |
| TOC | 3289 | 975 | 872 |
| BOD | 5639 | <300 | <300 |
| TSS | 5883 | 1780 | 1540 |
| Total Cadmium | 0.05 | 0.02 | 0.02 |
| Total Chromium | 0.28 | 0.13 | 0.08 |
| Total Copper | 1.60 | 0.48 | 0.39 |
| Total Nickel | 0.32 | 0.12 | 0.10 |
| Total Lead | 0.70 | 0.25 | 0.30 |
| Total Zinc | 7.75 | 4.35 | 2.75 |
| Oil & Grease | 1109 | N.A. | N.A. |

The above data indicates that Evergreen Environmental has once again violated the City's Ordinance for slug loading for suspended solids, and violated the limitations for zinc, pH, oil and grease.

The duplicate samples taken in glass for 82-82 and 82-83 were taken to Garden State Labs in Irvington. They are to be analyzed for PCB's and chlorinated hydrocarbons. The results are pending.

Attachment E1

News

FOR IMMEDIATE RELEASE

May 23, 1983



IRWIN I. KIMMELMAN
ATTORNEY GENERAL

Attorney General Irwin I. Kimmelman announced today the State Grand Jury indictment of six men, a waste treatment company and a waste oil hauling company on various charges including a scheme that allegedly defrauded 13 waste generators out of about \$1.6 million and resulted in the dumping of about 13 million gallons of largely untreated waste into the Elizabeth sewer system.

Kimmelman said, "This indictment is the culmination of several law enforcement entities working together in the most admirable of cooperative arrangements.

"Invaluable assistance was provided by the Elizabeth Police Department," Kimmelman said, "in particular, Director Joseph Brennan and Detective Sergeant John Guslavage were substantial assets during the course of the investigation. In addition, the Union County Prosecutor's Office, and especially Detective Lieutenant Raymond Lynch were of great assistance."

Director of the State Division of Criminal Justice, Donald R. Belsole, identified the defendants as:

- Kit Enterprises, Inc. (also known as Evergreen Environmental Industries, Inc.) 475 Division Street, Elizabeth;
- George J. Gregory, an attorney and former vice president of Kit, 37, of Spring Lake Heights;
- William F. Addvensky, former corporate officer of Kit and operator of Intercity Tank Lines, 53, of East Brunswick;

Attachment F1

- Theft by failure to make required disposition of property obtained by virtue of Kit, Francisco and Gregory failing to make unemployment insurance contributions to the State;
- Failure to pay over withholding tax to the State;
- Evading gross (State) income tax;
- Unlawful possession of a handgun (by Colicchio);
- Misconduct by a corporate official.

"Between 1979 and this year," Belsole said, "the defendants in this case were responsible for at least 50,000 gallons of caustic liquid and millions of gallons of untreated sludge to be dumped down the drain in Elizabeth. These wastes eventually drained into the Arthur Kill, an already much abused waterway. In addition to defrauding the 13 generators of the material, who paid for it to be properly disposed of, the City of Elizabeth was defrauded out of at least \$600,000 owed for the use of the sewer system."

The generators of the liquid waste Kit took in include: the Nestle Company, Clairol Inc., the Coca Cola Company, the Safety-Kleen Corp., GATX Terminals Corp., M. A. Bruder and Sons, Inc., Continental Can Company, Cooper Chemical Company, C. J. Osborn Chemicals, Proctor and Gamble Company, Pet Inc., the Borough of Avon-by-the-Sea and the Witco Chemical Corp.

State Police Superintendent Clinton L. Pagano said, "State Police conducted extensive surveillance during the course of this case. Officers used technical expertise in not only the intelligence area but in the area of hazardous wastes as well."

The investigation leading to the indictment was conducted by the Environmental Prosecutions Section of the Division of Criminal Justice, a member of the New Jersey Inter-Agency Hazardous Waste Strike Force, and the Intelligence Bureau of the Division of State Police.

Deputy Attorneys General Bruce Schwartz and Stephen Resnick of the Environmental Prosecutions Section prepared the case with assistance from Criminal Justice investigators. Resnick presented the case to the Grand Jury.

The indictment was handed up to Superior Court Judge Samuel D. Lenox, Jr., who allocated the case to Union County for trial.

For penalties see attached Fact Sheet.

###



State of New Jersey

IRWIN I. KIMMELMAN
ATTORNEY GENERAL

DEPARTMENT OF LAW AND PUBLIC SAFETY

DIVISION OF LAW
ENVIRONMENTAL PROTECTION SECTION

RICHARD J. HUGHES JUSTICE COMPLEX
CN 112
TRENTON 08625

MICHAEL R. COLE
First Assistant Attorney General
DIRECTOR

LAWRENCE E. STANLEY
DEPUTY ATTORNEY GENERAL
SECTION CHIEF

JOHN M. VAN DALEN
DEPUTY ATTORNEY GENERAL
ASSISTANT SECTION CHIEF

TELEPHONE (609) 292-1500

February 28, 1984

Mr. Stanley Leezenbaum
Tree Realty Co.
3 Southern Slope Drive
Milburn, New Jersey 07041

Re: Division Realty v. NJDEP (Evergreen site)

Dear Mr. Leezenbaum:

Enclosed as you requested is a copy of my letter to Philip Neuer, Esq., dated December 19, 1983, in which reference was made to the closure plan regulations and the person in the Department to whom the closure plan should be submitted.

In addition, you are advised that based on an inspection by the Department on January 13, 1984, the following items had not been completed as part of Waste Conversion's clean-up at the site:

1. frozen water remained in the dike area that should be properly removed and disposed of;
2. three drums remained in the dike area embedded in ice that must be properly removed;
3. the completeness of soil contamination removal could not be ascertained by the inspector because of snow covering the ground. Waste Conversion's Waste Removal and Disposal Plan, dated October 3, 1983, states that the Department inspector will determine how much soil is to be removed. Because of the snow cover, this could not be done at that time;
4. in one tank trailer a residue of approximately three to four inches depth remains. Pursuant to the clean-up guidelines, dated July 18, 1983 and the appropriate regulations, the

Mr. Stanley Leezenbaum

February 28, 1984

Page 2

container must be cleaned so it is free of residue. A container is empty if it contains no more than 2.5 centimeters (one inch) of residue remaining on the bottom of the container. N.J.A.C. 7:26-8.4(b)(1)(ii). Therefore, the tank trailer containing three to four inches of residue is not completely cleaned.

Finally, although it was not a part of Waste Conversion's clean-up, the Department needs certification that the vats in the three-story building are empty and clean.

I hope the above information answers your questions. If you need further information, the contact person in the Bureau of Hazardous Waste Engineering should be able to help you.

Very truly yours,

Irwin I. Kimmelman
Attorney General of New Jersey

Dorothy M. Highland
Dorothy M. Highland
Deputy Attorney General

DMH:fad
enclosure

cc: Philip D. Neuer, Esq.
Linda Zaninelli, DWM ✓
Red Rutkowski, DWM



Dan Raviv Associates, Inc.

Consultants in ground water hydrology, water quality and landfill hydrology

November 13, 1985

State of New Jersey
Department of Environmental Protection
Hazardous Site Mitigation Administration
Division of Waste Management
428 East State Street
Trenton, New Jersey 08625

Attention: Mr. Robert Soboleski, Case Manager 2 5 NOV 1985

Re: Status of Site Cleanup and Proposed Monitoring Wells
Former Location of Kit Enterprises
475 Division Street - Elizabeth, New Jersey
Job No. 85C277

Gentlemen:

Tree Realty Co. has requested Dan Raviv Associates, Inc. prepare this letter in response to environmental questions raised by Mr. Robert Soboleski, Case Manager, in our meeting of October 18, 1985. The questions concern the site cleanup and soil and ground water quality conditions at the former location of Kit Enterprises, 475 Division Street in Elizabeth, New Jersey (Figure 1).

We understand the site was originally part of a printing ink plant. In 1978, the site was leased to Kit Enterprises, Inc., which subsequently changed its name to Evergreen Environmental Industries (Evergreen). Although Evergreen described its activities as a type of hazardous waste cleanup operation, the only 'cleanup' activities which occurred were dilution of waste material, storage of the waste material in various on-site tanks, and subsequent disposal into the sewers. All the activities were in violation of city, county, and state ordinances. In 1981, the operation changed to storage of oily wastes (primarily crankcase oil) on-site. Sufficient information for prosecution of Evergreen was obtained before the operation was shut down by the NJDEP and while the NJDEP controlled access to the site for eight months following shut down.

Cleanup of the site, at the Tree Realty's expense, was implemented in 1983. Cleanup activities were performed in accordance with a closure plan, the main facets of which were outlined in a memo from the NJDEP dated July 18, 1983. A cleanup plan, based on the outline, was originally submitted by Tree Realty to the NJDEP on April 11, 1984, and a revised closure plan was submitted on May 30, 1980. Cleanup

proceeded in accordance with the plan and was completed, with the exception of soil analyses, on March 1984. Soil samples were submitted to a laboratory on three separate times and results reported on June 1984, October 1984 and July 1984, before the laboratory quality control was considered acceptable by the NJDEP. Each time, fresh samples were collected at approximately the same locations as previously. Sample locations were selected by NJDEP personnel.

Once the closure plan was completed, Tree Realty was under the impression that the site could be utilized for other operations and that the NJDEP would certify that the cleanup had been completed satisfactorily. However, additional issues have been raised by the NJDEP, as outlined below:

- (1) The presence or absence of underground storage tanks on the site.
- (2) The condition of on-site sewers, since the sewers were used for waste disposal.
- (3) Building decontamination.
- (4) The condition of various trenches and pits on-site.
- (5) Soil and ground water quality.

Our responses are addressed in the same order as the above outline:

- (1) Based on discussions with the owner and site inspection, we understand there are no underground storage facilities on-site.
- (2), (3), and (4) We understand all of these facilities were cleaned in accordance with the closure plan. We were not involved with the project at the time, but we understand the cleanup proceeded in accordance with the closure plan; progress was frequently reviewed by personnel from the NJDEP; and the completion of the cleanup in accordance with the closure plan was certified by at least one independent engineer registered in New Jersey. Based on review of available information, the majority of the cleanup included cleanout and removal of material from various tanks, trenches, and sewer pits around the site and removal of packaged chemicals from storage. Leakage from the tanks, trenches, pits and storage areas was not an apparent problem.
- (5) Soil samples were collected from 0 to 0.5 feet below surface at three different locations on-site, reportedly biased to be in potentially contaminated areas. An off-site sample was also obtained to determine 'background' conditions, and a water sample was also submitted as a field blank. The reported results of July 1985 are summarized in the attached

Mr. Robert Soboleski, Case Manager

November 13, 1985

Page 3

Tables I and II, and the approximate sampling locations are shown on the attached Figure 2. The 'background' sample showed elevated levels of some of the priority pollutant metals, notably lead and zinc, and some base/neutral extractable compounds. The elevated levels are not unexpected considering the area has been an industrial area for several decades. Similarly, the sample from the area of the railroad tracks showed elevated levels of some priority pollutant metals, notably lead and zinc, and two base/neutral extractable compounds. These contaminants are probably the result of railroad activities rather than Evergreen's 'disposal' activities. Analyses of soil samples from the two locations on-site did not show elevated levels of any contaminants.

DRAI proposes the construction of three (3) shallow monitoring wells and the resampling of a "background" soil sample (Figure 2). The three shallow wells are located as to allow the following determinations: (1) the "background" ground water quality; (2) the ground water quality at the former Kit site; and (3) additional soil sampling and analysis at the Kit site. The shallow wells will be drilled to the first zone of saturation and completed with the top of the screen at about 2 feet above static water table elevation. Total length of screen will be about 10 feet and the well completed in accordance with NJDEP specifications for shallow wells (Figure 3).

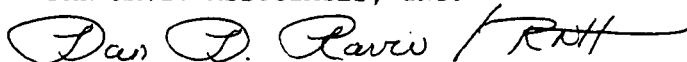
While drilling, split spoon samples will be taken at the three well locations from the surface to the water table at 2 foot intervals. These soil samples will be analyzed for total petroleum hydrocarbons and base neutrals (BN).

In addition, and for the purpose of comparison with previously taken soil samples, a soil sample from 0 to 6" will be taken near the railroad at its exit from the property (Figure 2). The sample will be analyzed for metals and BN.

If you have any questions or need additional information, please call.

Very truly yours,

DAN RAVIV ASSOCIATES, INC.



Dan D. Raviv, Ph.D.
President

DDR/sm
Enc.

cc: Stanley Leezenbaum, Esq.

Dan Raviv Associates, Inc.

Table I
Concentrations of Priority Pollutant Metals in Soils (ppm)
Former Location of Kit Enterprises
(July, 1985)

| Priority Pollutant Metals | Station #1 Next to Railroad | Station #2 Next to Wall | Station #3 Down Grade from Settling Tank | Station #4 Off-Site |
|------------------------------|-----------------------------------|-------------------------------|---|------------------------|
| Antimony | LT 1.25 | LT 1.25 | LT 1.25 | LT 1.25 (LT 1.25) |
| Arsenic | 13.0 | 6.5 | 8.3 | 21.0 (29.0) |
| Beryllium | LT 0.5 | LT 0.5 | LT 0.5 | LT 0.5 (LT 0.5) |
| Cadmium | 14.0 | 2.0 | 4.4 | 1.0 (1.0) |
| Chromium (Total) | 271.0 | 13.5 | 28.4 | 28.4 (20.8) |
| Copper | 270.0 | 48.0 | 43.0 | 70.0 (84.0) |
| Lead | 882.0 | 97.0 | 97.0 | 376.0 (371.0) |
| Mercury | 1.3 | 0.25 | 0.51 | 0.64 (0.58) |
| Nickel | 53.0 | 23.0 | 19.0 | 20.0 (14.0) |
| Selenium | 3.9 | LT 1.25 | LT 1.25 | 4.0 (4.2) |
| Silver | 6.1 | LT 0.5 | LT 0.5 | LT 0.5 (LT 0.5) |
| Thallium | LT 5.0 | LT 5.0 | LT 5.0 | LT 5.0 (LT 5.0) |
| Zinc | 1040.0 | 170.0 | 170.0 | 466.0 (420.0) |

Notes: (1) See Figure 2 for sampling locations.
(2) LT = Less Than.
(3) Field duplicates in parentheses.

Table II
Concentrations of Organic Priority Pollutants in Soils (ppm)
Former Location of Kit Enterprises
(July, 1985)

| Organic Priority Pollutant | Station #1 Next to Railroad | Station #2 Next to Wall | Station #3 Down Grade from Settling Tank | Station #4 Off-Site |
|-------------------------------|-----------------------------------|-------------------------------|---|------------------------|
| Acid Extractables | ND | ND | ND | ND |
| Base/Neutral Extractables | | | | |
| Acenaphthene | LT 1.0 | ND | ND (ND) | ND |
| Benz(a)anthracene | LT 1.0 | ND | 1.0 (0.9) | LT 0.5 |
| Benzo(k)fluoranthene | LT 1.0 | ND | 1.0 (0.8) | 2.4 |
| Benzo(a)pyrene | LT 1.0 | LT 0.5 | 1.5 (1.0) | 2.3 |
| Di-n-butyl phthalate | 16.3 | 0.5 | 0.9 (ND) | 3.1 |
| Di-n-octyl phthalate | 1.5 | ND | ND (ND) | ND |
| Bis(2-ethylhexyl)phthalate | 15.0 | 0.6 | ND (ND) | ND |
| Fluoranthene | 3.7 | LT 0.5 | 3.2 (1.9) | 5.7 |
| Naphthalene | ND | ND | ND (ND) | LT 0.5 |
| Phenanthrene | 1.2 | ND | 1.4 (0.8) | 1.6 |
| Pyrene | 1.7 | ND | 1.7 (1.3) | 2.7 |
| Volatile Organic Compounds | | | | |
| Fluorotrichloromethane | 0.14 | 0.07 | 0.17 (0.29) | LT 0.05 |
| Methylene Chloride | 0.10 | LT 0.05 | LT 0.05 (LT 0.05) | LT 0.05 |
| Toluene | LT 0.05 | LT 0.05 | LT 0.05 (LT 0.05) | LT 0.05 |
| Pesticides/PCB's | ND | ND | ND | ND |

Notes: (1) See Figure 2 for sampling locations.
(2) ND = Not Detected.
(3) Field duplicates in parentheses.
(4) LT = Less Than.

STEEL CAP WITH
PADLOCK

CAP

AIR VENT

STEEL CASING SET IN
CEMENT

GROUND SURFACE

3 FEET CEMENT COLLAR

CASING SEAL -
GRANULAR BENTONITE
SLURRY

4" I.D. PVC CASING
SCHEDULE 40 EQUIVALENT
CERTIFIED

CLEAN SAND/GRAVEL PACK

4" I.D. 20 SLOT
WELL SCREEN
CERTIFIED

8" DIAMETER BORE HOLE

BOTTOM CAP



Dan Raviv Associates, Inc.
5 Central Avenue, West Orange, NJ 07052

WELL SPECIFICATIONS

FORMER LOCATION OF KIT ENTERPRISES
ELIZABETH, NEW JERSEY

Prepared By RNH

Date NOV 1985

Job No. 85C277

Figure 3



CENTURY LABORATORIES, INC.

P.O. Box 248/1501 Grandview Avenue/MidAtlantic Park, Thorofare, NJ 08086
Phone: (609) 848-3939 NJ 800-222-0589

CLIENT: TREE REALTY COMPANY
#3 Southern Slope Drive
Millburn, N.J. 07041

PROJECT: Soil Sampling

TEST
REQUIRED: Full E.P.A. Priority Pollutants and
RCRA analysis.

DATE OF
SAMPLING: July 9, 1985

SAMPLES
COLLECTED BY: Century Labs., Inc.(DM/DT)

ANALYSIS NOS.: B9523 thru B9528

Richard W. Lynch
Richard W. Lynch
Laboratory Director

DEP CERTIFICATION NO. 08153

(TITLE PAGE)

Analytical Data Report Package for
New Jersey Department of Environmental Protection

CN-029
Trenton, New Jersey 08625

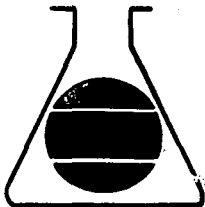
| <u>CASE NUMBER</u> | <u>FIELD SAMPLE #</u> | <u>LABORATORY SAMPLE #</u> | <u>SAMPLE COLLECTION LOCATION</u> | <u>DATE AND TIME OF SAMPLE COLLECTION</u> |
|------------------------|---------------------------|--------------------------------|---|---|
| TREE REALTY | #1 | B9523 | Next to Railroad | 7/9/85: 11:06AM |
| | #2 | B9524 | Next to Wall | 7/9/85: 11:30AM |
| | #3 | B9525 | Down Grade from Settling Tank | 7/9/85: 11:56AM |
| | #FB | B9526 | Off Site | 7/9/85:12:07PM |
| | #4 | B9527 | Off Site | 7/9/85: 12:27PM |
| | #4DUPLICATE | B9528 | Off Site | 7/9/85: 12:27PM |

LAB NAME: Century Laboratories, Inc.

CERTIFICATION NO: 08153

SUPERVISOR/MANAGER SIGNATURE: Richard W. Lynch

NAME: Richard W. Lynch



CENTURY LABORATORIES, INC.

P.O. Box 248/1501 Grandview Avenue/MidAtlantic Park, Thorofare, NJ 08086

Phone: (609) 848-3939 NJ 800-222-0589

CLIENT: TREE REALTY

LRN: B9523B

CLIENT I.D.: STATION 1(0-6')

DATE: 7/9/85

CERTIFICATE OF ANALYSIS RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

should be maximum

MDL*

RESULTS

TOTAL SAMPLE ANALYSIS(mg/kg):

| | | |
|---------------|------|--------|
| Corrosiveness | N.A. | NON |
| Flash Point | N.A. | > 60°C |
| PCB's | 5.0 | N.R. |
| pH | N.A. | 6.8 |
| Reactivities: | | |
| Cyanide | 1.0 | < 1.0 |
| Sulfide | 1.0 | < 1.0 |

LEACHATE ANALYSIS(mg/l):

| | | |
|------------------|-------|----------|
| Arsenic | 5.0 | < 0.002 |
| Barium | 100.0 | 0.2 |
| Cadmium | 1.0 | < 0.01 |
| Chromium | 5.0 | < 0.01 |
| Lead | 5.0 | < 0.05 |
| Mercury | 0.2 | < 0.0002 |
| Selenium | 1.0 | < 0.005 |
| Silver | 5.0 | < 0.01 |
| Endrin | 0.02 | N.D. |
| Lindane | 0.4 | N.D. |
| Methoxychlor | 10.0 | N.D. |
| Toxaphene | 0.5 | N.D. |
| 2,4-D | 10.0 | N.D. |
| 2,4,5-TP(Silves) | 1.0 | N.D. |

LABORATORY COMMENT:

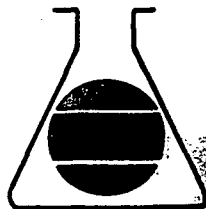
*MDL = Minimum Detection Level

N.A. = Not applicable

N.R. = Not Requested

N.D. = Non Detectable

Robert W. Lynch
LAB DIRECTOR



CENTURY LABORATORIES, INC.

P.O. Box 248/1501 Grandview Avenue/MidAtlantic Park, Thorofare, NJ 08086
Phone: (609) 848-3939 NJ 800-222-0589

CLIENT: TREE REALTY
CLIENT I.D.: STATION 4

LRN: B9527B
DATE: 7/9/85

CERTIFICATE OF ANALYSIS RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

MDL* *Maximum Concentration* RESULTS

TOTAL SAMPLE ANALYSIS(mg/kg):

| | | |
|---------------|------|--------|
| Corrosiveness | N.A. | NON |
| Flash Point | N.A. | > 60°C |
| PCB's | 5.0 | N.R. |
| pH | N.A. | 7.2 |
| Reactivities: | | |
| Cyanide | 1.0 | < 1.0 |
| Sulfide | 1.0 | < 1.0 |

LEACHATE ANALYSIS(mg/l):

| | | |
|------------------|-------|----------|
| Arsenic | 5.0 | < 0.002 |
| Barium | 100.0 | < 0.1 |
| Cadmium | 1.0 | < 0.01 |
| Chromium | 5.0 | < 0.01 |
| Lead | 5.0 | < 0.05 |
| Mercury | 0.2 | < 0.0002 |
| Selenium | 1.0 | < 0.005 |
| Silver | 5.0 | < 0.01 |
| Endrin | 0.02 | N.D. |
| Lindane | 0.4 | N.D. |
| Methoxychlor | 10.0 | N.D. |
| Toxaphene | 0.5 | N.D. |
| 2,4-D | 10.0 | N.D. |
| 2,4,5-TP(Silvex) | 1.0 | N.D. |

LABORATORY COMMENT:

*MDL = Minimum Detection Level
N.A. = Not applicable
N.R. = Not Requested
N.D. = Non Detectable

Richard W. Lynne
LAB DIRECTOR

Miscellaneous Information

MEMONEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTIONTO Steve A. Borgianini, Acting Assistant Chief - EMSFROM Charles Elmendorf, HSMS II, EMS CPE DATE 7/23/85SUBJECT Kit Enterprises (TREE Realty) Soil Sampling

PURPOSE OF MEMO: To document the soil sampling that occurred on July 9, 1985 at the above facility, now owned by TREE Realty.

On July 9, 1985 the writer arrived at the former site of Kit Enterprises on York Ave. in Elizabeth to direct and observe Century Labs sampling team. Doug Turner, Dean Maser, of Century and a representative of TREE Realty were met on site. The sampling objective was to take three surface (0-6") soil samples from the site at locations previously determined by Red Rutkowski, Bureau of Hazardous Waste Engineering. In addition one background sample also 0-6", was taken from a location determined by the writer.

Dedicated, lab cleaned foil wrapped hand trowels were used to obtain the soil samples. Disposable outer gloves, supplied by the writer were worn by the samplers. The samples were taken back to Century Labs by the samplers on the afternoon of July 9, 1985.

Sample locations are approximately as shown on the attached sketch. The background sample location is just out side the North corner of the facility, a duplicate of this sample was taken. Sample numbers will be assigned at the lab.

CONCLUSIONS & RECOMMENDATIONS: Await analytical results on above samples.

HS72:at

Attachment

cc: Bob Soboleski
Red Rutkowski

DUPLICATE



Dan Raviv Associates, Inc.

Consultants in ground water hydrology, water quality and landfill hydrology

January 9, 1986

NJDEP Division of Waste Management
Hazardous Site Mitigation Administration
428 East State Street
Trenton, New Jersey 08625

Attention: Mr. Robert Sobeleski

JAN 1986

Re: Supplemental Sampling and Analysis
Former Location of Kit Enterprises Site
Job No. 85C277

Gentlemen:

The purpose of this letter is to summarize the additional sampling and testing discussed and agreed upon during the meeting of December 31, 1985 between representatives of NJDEP and Tree Realty Co., for the above referenced site. During the meeting, Dan Raviv provided the NJDEP with the following documents: (1) DRAI's drilling and sampling protocols, (2) a site safety plan, and (3) an SOP for S-R Analytical, the designated laboratory. This letter and the attached documents supplement the November 13, 1985 letter prepared by Dan Raviv Associates, Inc. (DRAI).

In response to the December 31, 1985 meeting, DRAI has prepared the following documents:

- (1) Revised Figure 2 (from the November 13th letter) indicating soil sampling and monitoring well numbers, the location of the brick building to be demolished and the proposed location of the new warehouse to be constructed next spring;
- (2) Revised Figure 3 (from the November 13th letter) indicating screen settings in the monitoring wells with respect to the local water table position; and
- (3) Summary Table III listing sample locations, numbers and types of samples, and the type of analysis to be performed.

As agreed at our meeting, a minimum of one soil sample will be collected by a split spoon at each well location, the actual number to be determined by the depth of the water table. In addition, priority pollutant metals and volatile organic compounds (VOC's) have been added to the formerly proposed analysis of total petroleum

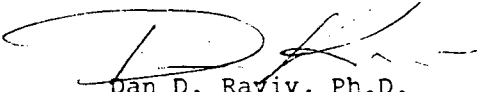
hydrocarbons and base neutrals in compliance with NJDEP's request. Since our December meeting, we decided to add one more soil sample (RR-2) along the railroad tracks. This sample should allow for a better understanding of the potential impact of the railroad on soil quality.

Excluding unforeseen circumstances, we expect that the outcome of the proposed sampling and analysis will assist the Hazardous Site Mitigation Administration (HSMA) and the Department in concluding that the site cleanup has been completed. In a parallel effort, Tree Realty Co. initiated contact with the Bureau of Industrial Site Evaluation (ECRA) in order to secure a written statement on the nonapplicability status of this site. Your cooperation in this matter will be appreciated.

Please review the material submitted and provide us with your comments or approval so that we may proceed with the site investigation. In preparation, we have secured the services of Jersey Boring and Drilling Co., Inc. of Newark, for the second week of February, 1986. HSMA will be notified five days prior to well drilling and sampling.

If you have any questions or need additional information, please call.

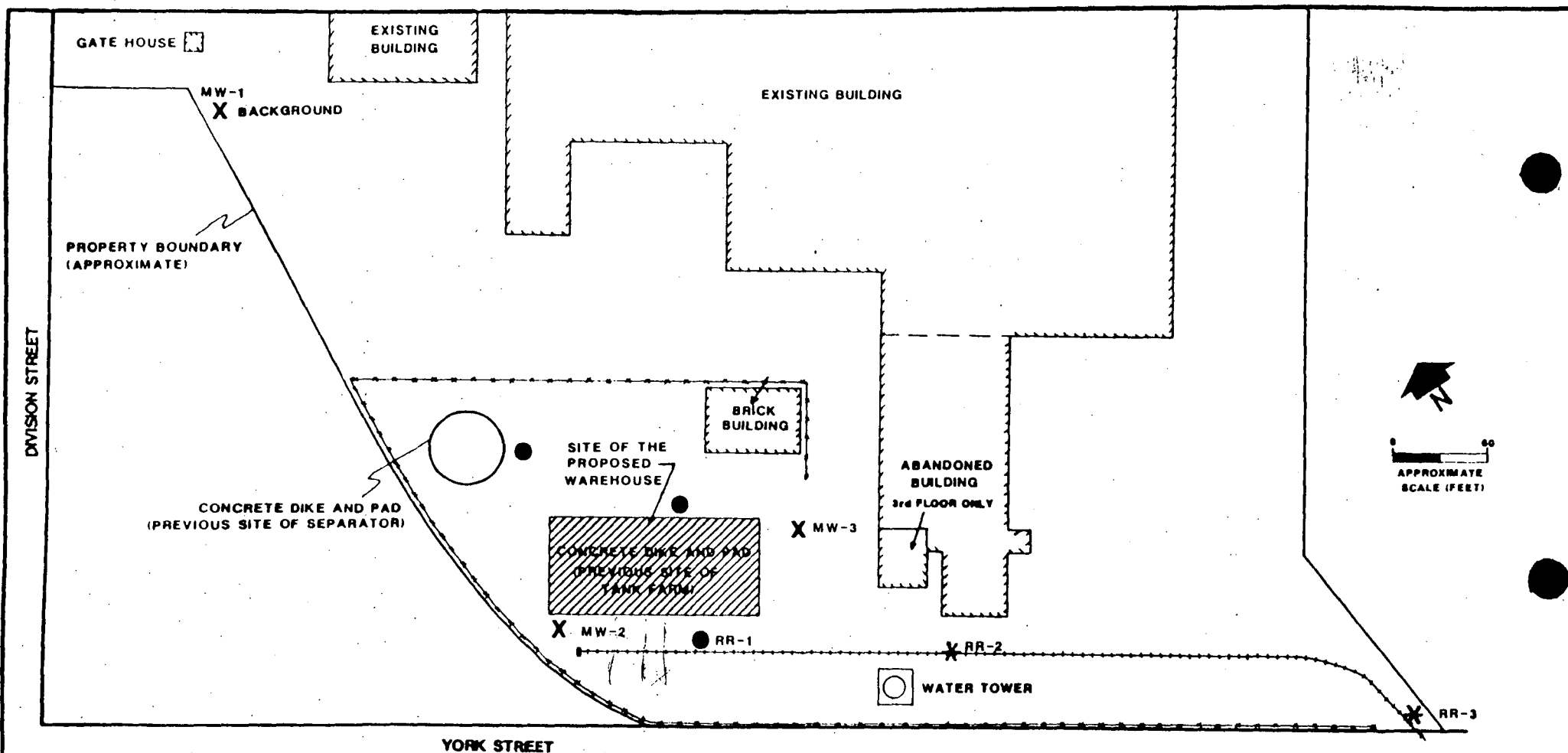
Very truly yours,
DAN RAVIV ASSOCIATES, INC.



Dan D. Raviv, Ph.D.
President

DDR/sl
Enc.
(3 copies sent)

cc: Stanley Leezenbaum, President
Tree Realty Co.



EXPLANATION

- APPROXIMATE LOCATION OF SOIL SAMPLE (0-6') - 7/86
- RR-2 ✕ PROPOSED SOIL SAMPLING LOCATION (0-6')
- MW-1 ✕ PROPOSED SOIL SAMPLING AND WELL LOCATION (WATER TABLE)

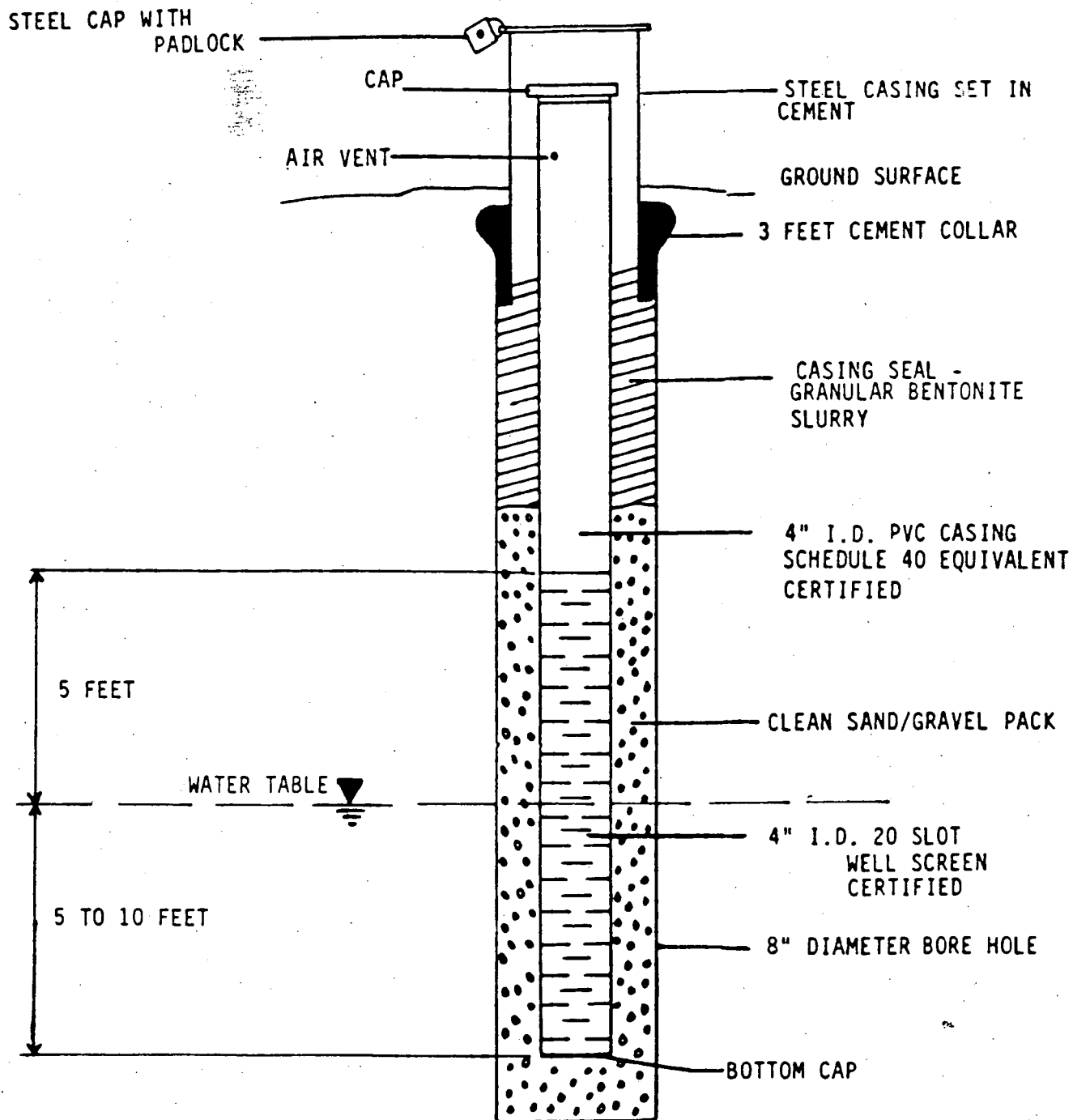
REVISED: JANUARY 1986

ll Dan Raviv Associates, Inc.
5 Central Avenue, West Orange, NJ 07052

SAMPLING LOCATIONS

FORMER LOCATION OF KIT ENTERPRISES
ELIZABETH, NEW JERSEY

| | |
|-----------------|---------------|
| Prepared By RMH | Date NOV 1985 |
| Job No 85C277 | Figure 2 |



REVISED: JANUARY 1986



Dan Raviv Associates, Inc.
5 Central Avenue, West Orange, NJ 07052

WELL SPECIFICATIONS

**FORMER LOCATION OF KIT ENTERPRISES
ELIZABETH, NEW JERSEY**

Prepared By **FMH**

Date **NOV 1985**

Job No. **85C277**

Figure **3**

Table III

Summary of Proposed Sampling
and Type of Analysis

| Sample No. ⁽¹⁾ (depth) | (No. of Samples)/ Sample Type | Type of Analysis Requested ⁽²⁾ |
|---|----------------------------------|--|
| RR-2 (0-6") | (1)/Soil | PP Metals, BN, VOC's, TPHC |
| RR-3 (0-6") | (1)/Soil | PP Metals, BN, VOC's, TPHC |
| MW-1 through MW-3 (0 -2') ⁽³⁾ | (3)/Soil | BN, TPHC |
| (2'-4') ⁽³⁾ | (3)/Soil | PP Metals, BN, VOC's, TPHC |
| (6"-3') ⁽⁴⁾ | (3)/Soil | PP Metals, BN, VOC's, TPHC |
| MW-1 through MW-3 | (1)/Soil composite | PCB's |
| MW-1 through MW-3 | (3)/Water | PP Metals, BN, VOC's, TPHC |
| <hr/> | | |
| QC/QA | (1)/Soil | BN, VOC's, TPHC |
| QC/QA | (1)/Water | PP Metals, BN, VOC's, TPHC |

(1) See Figure 2 for location and sample number.

(2) PP Metals - Priority pollutant metals,
BN - Base neutrals,
VOC's - Volatile Organic Compounds,
TPHC - Total petroleum hydrocarbons.

(3) If depth to water table is more than 4' below surface, two samples per well were taken.

(4) If depth to water table is less than 4' below surface, one sample per well was taken.



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
HAZARDOUS SITE MITIGATION ADMINISTRATION
CN 028, Trenton, N.J. 08625

MARWAN M. SADAT, P.E.
DIRECTOR

JORGE H. BERKOWITZ, PH.D.
ADMINISTRATOR

14 JAN 1986

MEMORANDUM

TO: Robert Predale, Chief
Bureau of Site Management

THROUGH: Bob Soboleski, Assistant Chief
Bureau of Site Management

FROM: Frank Groman, Jr., Site Manager
Bureau of Site Management

SUBJECT: KIT Enterprises Inc.
Pre-work Conference December 31, 1985

The property owner, Tree Realty Co., their consultant, Dan Raviv Associates, Inc., and the NJDEP held a pre-work conference on December 31, 1985. A copy of the attendance sheet is attached. Three (3) protocols were submitted to DEP: Table I, Health and Safety Protocol; Field Procedure Protocols for Drilling & Well Installation and Sampling of Water and Soils; SR Analytical, Inc., Standard Operating Procedures Manual. A copy of the HASP Protocol, the Field Procedure Protocol and the November 13, 1985 letter from Dan Raviv Associates, Inc. are also attached.

The following is a summary of this meeting:

Tree Realty is planning to construct a building on the previous tank farm site using the existing concrete pad and to demolish the small brick buildings in proximity to this site. Construction is expected to begin in the Spring of 1986. They will request the issuance of a "non-applicability letter" by ECRA.

Dr. Dan Raviv requested that DEP review the three protocols and respond ASAP. He would appreciate an initial short letter or preferably a phone call if there are problems. A response was promised in a month. Drilling, therefore, could probably start in February (86). DEP will be notified sufficiently in advance to have a representative at the site for the drilling/sampling operations. They plan to use Jersey Boring.

The five (5) issues raised by NJDEP which were outlined on page 2 of the November 13, 1985 letter were addressed by Dr. Raviv. His response to each of these issues was the same as stated in his letter.

Location of the three (3) proposed shallow monitoring wells was based on regional and topographic maps. Dan Raviv agreed to have the top of the 10 foot well screen at 5 feet above the water table. While drilling, discreet, split spoon

samples will be taken at two (2) foot intervals from the surface to the water table. Each of the soil samples will be analyzed for "Total Petroleum Hydrocarbons" and "Base Neutral Extractables"; the sample nearest the water table (saturated zone) will also be analyzed for "priority pollutant metals" and "Volatile Organic Compounds". Water samples will be analyzed for "Total Petroleum Hydrocarbons", "Base Neutral Extractables", "Priority Pollutant Metals" and "Volatile Organic Compounds." SR Analytical Inc. will do the analytical work.

It was emphasized by NJDEP that a trip blank is required for each sampling event (day of sampling) and a field blank is required for each sample matrix per sampling event.

The soil cleanup levels used by ECRA can be applied to this site; they are available from DEP upon request. Review and analysis of the sampling data will establish whether additional cleanup requirements will be imposed.

The highest concentration of priority pollutants in the soil, primarily metals and base neutrals, were found in the sample taken from next to railroad (Station #1). Railroad sidings in general are reputed to be contaminated by a broad spectrum of pollutants. To establish whether the contamination found in the Station #1 sample is either typical of that railroad siding or is attributable to operations at the site, an additional surficial soil sample will be taken near the exit of the siding from the property.

Ernie Kuhlwein is to check their files for the write-off of the building decontamination, the sewer system, pits/trenches and that the underground storage tanks are not an issue. Copies of all pertinent documents will be transmitted to HSMA.

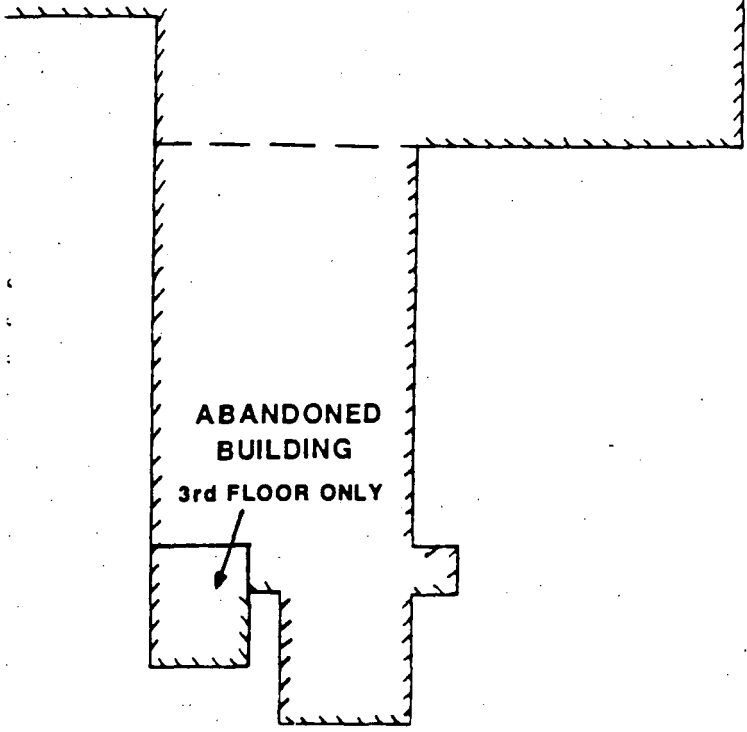
Jonathan Savrin and Charles Elmendorf are to review and comment on the HASP and the Field Procedure Protocol. Comments are due by Tuesday, January 21, 1986; Activity Code is 3YR.

HS146:jb

Attachments

cc: Ernie Kuhlwein, BWHE
Jonathan Savrin, BEERA
Bob Soboleski, BSM
Charles Elmendorf, BEMSA

ING BUILDING



WATER TOWER



0 60
APPROXIMATE
SCALE (FEET)

N

CATION OF SOIL SAMPLE (0-6") - 7/85
AMPLING LOCATION (0-6")
AMPLING AND WELL LOCATION (WATER TABLE)



Dan Raviv Associates, Inc.
5 Central Avenue, West Orange, NJ 07052

SAMPLING LOCATIONS

**FORMER LOCATION OF KIT ENTERPRISES
ELIZABETH, NEW JERSEY**

| | |
|------------------------|----------------------|
| Prepared By RNH | Date NOV 1985 |
| Job No. 85C277 | Figure 2 |

GATE HOUSE

EXISTING
BUILDING

X BACKGROUND

PROPERTY BOUNDARY
(APPROXIMATE)

DIVISION STREET

EXIS

BRICK
BUILDING

CONCRETE DIKE AND PAD
(PREVIOUS SITE OF SEPARATOR)

CONCRETE DIKE AND PAD
(PREVIOUS SITE OF
TANK FARM)

YORK STREET

EXPLANATION

- APPROXIMATE LOCATION
- ✕ PROPOSED SOIL
- X PROPOSED SOIL

GATE HOUSE

EXISTING
BUILDING

PROPERTY BOUNDARY
(APPROXIMATE)

DIVISION STREET

CONCRETE DIKE AND PAD
(PREVIOUS SITE OF SEPARATOR)

BRICK
BUILDING

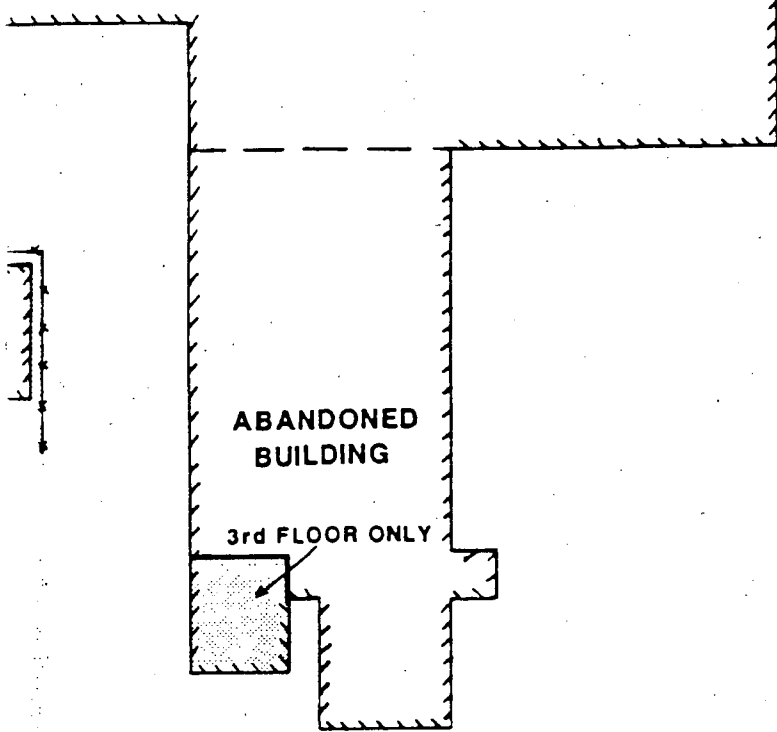
CONCRETE DIKE AND PAD
(PREVIOUS SITE OF TANK FARM)

YORK STREET

EXPLANATION

EXTENT OF

STING BUILDING

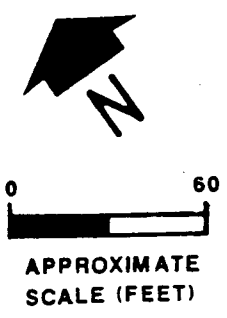


ABANDONED
BUILDING

3rd FLOOR ONLY



WATER TOWER



IT ACTIVITIES

 **Dan Raviv Associates, Inc.**
5 Central Avenue, West Orange, NJ 07052

SITE MAP
FORMER LOCATION OF KIT ENTERPRISES
ELIZABETH, NEW JERSEY

| | |
|---------------------|---------------|
| Prepared By RNH/JAL | Date NOV 1985 |
| Job No. 85C277 | Figure 1 |

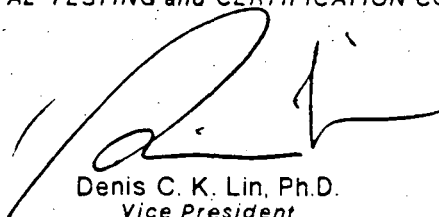
December 17, 1982

TECHNICAL REPORT
for
NJDEP
Division of Waste Management
1911 Princeton Ave.
Trenton, NJ 08636

Chain of Custody Data Required for ETC Data Management Summary Reports

| | | | |
|----------------|---------|---------------------------------|---------|
| B6909 | NJDEP | DEP TD-159 | Elapsed |
| ETC Sample No. | Company | Facility Sample Point Date Time | Hours |

ENVIRONMENTAL TESTING and CERTIFICATION CORPORATION



Denis C. K. Lin, Ph.D.
Vice President
Research and Operations

ETC Environmental Technology Corporation

INTRODUCTION

The analytical data for your sludge sample DEP TD-159, submitted to ETC, was qualitatively analyzed by GC/ECD for the presence of Aroclors. The Aroclors were quantitated. This was accomplished by comparing the sample with standard Aroclor solutions. The methods used in the analysis, as well as the sample and quality assurance data are presented.

RESULTS

The sample chromatograms were compared to chromatograms of Aroclors 1242, 1254, and 1260. The data for ETC sample B6909 and B5491 and the quality assurance data are tabulated in Table 1. The chain-of-custody record, methodology, and quality assurance protocol follow Table 1. Sample and standard chromatograms are included in the appendix of this report.

December 15, 1982

| TABLE 1: QUANTITATIVE RESULTS and QUALITY ASSURANCE DATA | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|
|--|--|--|--|--|--|--|--|--|--|

Aroclors – GC Analysis Data (QR14)

Chain of Custody Data Required for ETC Data Management Summary Reports

B6909

NJDEP

DEP TD-159

ETC Sample No

Company

Facility

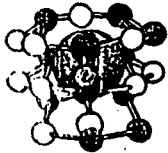
Sample Point

Date _____

Time

Elapsed
Hours

[illegible]



" SOLUTIONS
START
HERE "

Stablex-Reutter Inc.

Ninth and Cooper Streets
P.O. Box 499
Camden, New Jersey 08101

Phone: 609-541-6700
Telex: 834477

70-011

May 18, 1983

NJDEP
Division of Waste Management
120 Rt. 156
Yardville, NJ 08620

Attention: Mr. Wayne Howitz

Reference: Test Report No. SR8180

This report covers the priority analysis of four (4) organic samples submitted to Stablex-Reutter, Inc. (S-R) on May 4, 1983. The following analyses were requested:

- . Organic
 - Polychlorinated Biphenyls
- . Physical
 - Heat of Combustion
- . Inorganic
 - Chlorine
 - Sulfur

This Test Report is organized in the following manner:

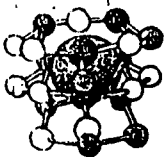
- Analysis
- Analytical Results

I. Analysis

A. Isolation of Polychlorinated Biphenyls

1. Sludge Samples

A known weight of sample is soxhlet-extracted with pesticide-grade hexane for three hours. The resulting solution is then eluted through a 20 gram florisil column with 250 milliliters of petroleum ether and evaporated on a water bath to a final volume of 10.0 milliliters. An aliquot of this solution is then analyzed by electron-capture detection gas chromatography. Dilutions are made when necessary to bring the concentration of analyte within the linear range of the detector. Internal standards are used to monitor the percent recovery.



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Test Report No. SR8180
May 18, 1983
Page 2

Phone: 609-541-6700
Telex: 834477

2. Combination Sludge/Aqueous Samples

The sludge portion of the sample is Soxhlet extracted as above. The aqueous phase is extracted in accordance with the following publication:

- . EPA Method 608, Federal Register, Vol. 44, No. 233, December 3, 1979.

Aqueous and sludge extracts are then combined in a Kuderna-Danish apparatus and evaporated to a volume of about 10 milliliters. The extracts are then eluted through a florisil column as above and evaporated to a final volume of 10.0 milliliters. An aliquot of this solution is then analyzed by electron-capture detection gas chromatography.

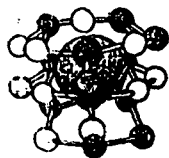
B. Instrumental Conditions of Analysis

- . Detector: Pulse-linearized nickel 63 electron-capture detector; maintained at 350°C.
- . Primary Column: A glass column 8 feet long by 4 millimeter (internal diameter) packed with 10% SP-2100 on 100/120 mesh Supelcoport. Column temperature was maintained at 240°C throughout the analysis.
- . Carrier Gas: 5% Methane in Argon.

C. Analysis of Physical and Inorganic Parameters

The analysis was performed according to the following publications:

- . ASTM D129, Test for Sulfur in Petroleum Products by Bomb Method.
- . ASTM D240, Test for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Method.
- . ASTM D808, Test for Chlorine in New and Used Petroleum Products (Bomb Method).



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Ninth and Cooper Streets
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NJDEP
Test Report No. SR8180
May 18, 1983
Page 3

Phone: 609-541-6700
Telex: 834477

II. Analytical Results

The parameters analyzed and results are delineated in the following tables. The interlaboratory variability of the parameters analyzed in the type of sample matrix submitted has not been established by EPA, and is probably at least $\pm 20\%$.

A. Organic Analysis

Polychlorinated Biphenyls

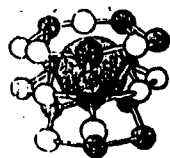
Sample and Designation

| Parameter | SR8180-1 WH210 | SR8180-2 WH211 | SR8180-3 WH212 | SR8180-4 WH213 |
|---------------------------|-------------------|-------------------|-------------------|-------------------|
| PCBs, as Arochlor 1254 | <10 ug/g | <10 ug/g | <10 ug/g | <10 ug/g |

Quality Assurance Data

Sample and Designation

| Parameter | SR8180-1 + Spike | | SR8180-2 + Spike (aqueous layer) | |
|---------------------------|------------------|------------|-------------------------------------|------------|
| | Amt. of Spike | % Recovery | Amt. of Spike | % Recovery |
| PCBs, as Arochlor 1260 | 49.75 ug/g | 97.6 | 0.485 ug/g | 82.5 |



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Stablex-Reactor Inc.

Ninth and Cooper Streets
P.O. Box 499
Camden, New Jersey 08101

NJDEP
Test Report No. SR8180
May 18, 1983
Page 4

Phone: 609-541-6700
Telex: 834477

B. Physical Analysis

Sample and Designation

| | SR8180-1 WH210 | SR8180-2 WH211 | SR8180-3 WH212 | SR8180-4 WH213 |
|--------------------------------|-------------------|-------------------|-------------------|-------------------|
| Heat of Combustion, BTU/lb* | 10,000 | 8,400 | 7,700 | 8,100 |

* This analysis was performed on the samples after drying. They would not burn as received.

C. Inorganic Analysis

Sample and Designation

| | SR8180-1 WH210 | SR8180-2 WH211 | SR8180-3 WH212 | SR8180-4 WH213 | NBS Fuel Oil Standard #1621a |
|----------------|-------------------|-------------------|-------------------|-------------------|---------------------------------|
| Chlorine, ug/g | 1,100 | 820 | 970 | 160 | --- |
| Sulfur, % | 1.1 | 0.42 | 1.2 | 1.4 | 0.89** |

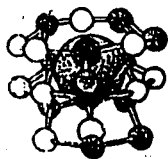
* Rather than drying, the samples were prepared for analysis by burning with iso-octane in the bomb.

** Actual value = 0.94%

Quality Assurance Data

SR8180-4 + Spike

| | SR8180-3, Duplicate | Amt. of Spike | % Recovery |
|-------------------------------|------------------------|---------------|------------|
| Heat of Combustion, BTU/lb | 7,500 | --- | --- |
| Chlorine, ug/g | 1,000 | 760 ppm | 101 |
| Sulfur, % | 1.4 | --- | --- |



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Ninth and Cooper Streets
P.O. Box 499
Camden, New Jersey 08101

Phone: 609-541-6700
Telex: 834477

NJDEP
Test Report No. SR8180
May 18, 1983
Page 5

If you have any questions concerning the above analysis, please don't hesitate to contact me.

Respectfully submitted,

STABLEX-REUTTER, INC.

William J. Ziegler
Laboratory Manager

WJZ/pd

88-11

JOINT MEETING

MAINTENANCE

IN THE MATTER OF AN OUTLET SEWER
AND TREATMENT PLANT
FOR CERTAIN MUNICIPALITIES
IN ESSEX AND UNION COUNTIES

500 SOUTH FIRST STREET

ELIZABETH, N. J. 07202

201-393-1313

June 7, 1983

New Jersey Department of Environmental Protection
Division of Waste Management
120 Route 156
Yardville, New Jersey 08620

Attention: Mr. T. Downey

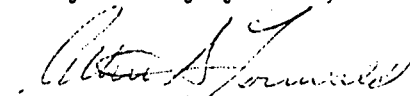
Dear Sir:

Enclosed please find a copy of the analysis of one composite sludge sample taken from the clarifier at Kit Enterprises on April 27, 1983.

Three 500-ml grab samples were taken on the above date and composited in the Joint Meeting Laboratory. One liter of the composite sample was forwarded to New York Testing Laboratories for analysis. One 500-ml aliquot of the sample was retained by the Joint Meeting.

If you have any questions or require any further information regarding this matter, please do not hesitate to contact us.

Very truly yours,



Allen S. Fornwald
Chief Officer, Industrial
Surveillance & Pretreatment

ASF:aa

cc: George J. Minish, Esq.

NEW YORK TESTING LABORATORIES, INC.

CALL BOX 1021, 75 URBAN AVENUE, WESTBURY, N.Y. 11590 • (516) 334-7770 • (212) 297-1449 TWX 510-222-0283

Lab. No. 83-68847

P.O. No. Pending

May 31, 1983

REPORT OF TESTS

FOR

**JOINT MEETING-ESSEX AND UNION COUNTIES
500 SOUTH FIRST STREET
ELIZABETH, N. J. 07202**

Report prepared by:

Remo Gigante
Laboratory Director

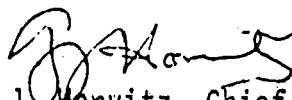
CERTIFICATION

We certify that this report is a true report of results obtained from our tests of this material.

Respectfully submitted,

NEW YORK TESTING LABORATORIES, INC.

Att: Mike Brinker/Allen Fornwald


G. J. Horvitz, Chief Officer

mk

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| 2.0 RESULTS | 1-7 |
| 3.0 QUALITY ASSURANCE PLAN | 8-19 |
| 4.0 MASS SPECTROMETER CALIBRATION DATA | 20-21 |
| 5.0 SPIKE RECOVERY DATA | 22 |

1.0 INTRODUCTION

This report contains the analytical data on your Sludge Sample received on April 29, 1983, identified as 42783.

The results we obtained on your samples are presented in a tabular format immediately after this introduction. Following the sample results, the Gas Chromatographic/Mass Spectral data generated in the analysis of your samples are included. A Quality Assurance Plan is listed in Paragraph 3.0 which includes objectives, project organization and responsibilities, sampling procedures, analytical procedures, calibration procedures, references and frequencies, data reduction, validation and reporting, internal quality control checks and frequencies, quality assurance performance audits, system audits and frequencies.

Also presented are the GC/MS calibration data and the internal standard, surrogate standard recoveries.

2.0 RESULTS

The results obtained on your samples are listed on the following pages. The compounds of interest are listed with their CAS (Chemical Abstract Services) number, method number, and the method detection limit. When a compound is searched for and cannot be found, it is reported as ND (not detected). When it is found at concentrations lower than the Method Detection Limit it is reported as < (MDL), otherwise the concentration is reported in ppb.

The data on the recovery of the surrogates spiked into your samples are listed in Paragraph 5.0.

BASE/NEUTRAL COMPOUNDS

| <u>Parameter</u> | <u>Method No.</u> | <u>CAS #</u> | <u>Method Detection Limit *</u> (ppb) | <u>Found</u> (ppb) |
|--------------------------------------|-------------------|--------------|--|-----------------------|
| Acenaphthene | 625 | 83-32-9 | 10 | 250 |
| Acenaphthylene | 625 | 208-96-8 | 10 | ND |
| Anthracene | 625 | 120-12-7 | 10 | 1800 |
| Benzo (a) anthracene | 625 | 56-55-3 | 10 | 550 |
| Benzo (b) fluoroanthene | 625 | 205-99-2 | 10 | ND |
| Benzo (k) fluoroanthene | 625 | 207-08-9 | 10 | ND |
| Benzo (a) pyrene | 625 | 50-32-8 | 10 | ND |
| Benzo (g,h,i) perylene | 625 | 191-24-2 | 25 | ND |
| Benzidine | 625 | 92-87-5 | 10 | ND |
| Bis (2-chloroethyl) ether | 625 | 111-44-4 | 25 | ND |
| Bis (2-chloroethoxy) methane | 625 | 111-91-1 | 10 | ND |
| Bis (2-ethylhexyl) phthalate | 625 | 117-81-7 | 10 | 79000 |
| <u>Bis (2-chloroisopropyl) ether</u> | 625 | 39638-32-9 | 10 | ND |
| 4-Bromophenyl phenyl ether | 625 | 101-55-3 | 10 | ND |
| Butylbenzylphthalate | 625 | 85-68-7 | 10 | ND |
| 2-Chloronaphthalene | 625 | 91-58-7 | 10 | ND |
| 4-Chlorophenylphenylether | 625 | 7005-72-3 | 10 | ND |
| Chrysene | 625 | 218-01-9 | 10 | ND |
| Dibenzo (a,h) anthracene | 625 | 53-70-3 | 25 | ND |
| Di-N-Butylphthalate | 625 | 84-74-2 | 10 | 370 |
| 1,2-Dichlorobenzene | 625 | 95-50-1 | 10 | ND |
| 1,3-Dichlorobenzene | 625 | 541-73-1 | 10 | < 10 |
| 1,4-Dichlorobenzene | 625 | 106-46-7 | 10 | < 10 |
| 3,3'-Dichlorobenzidine | 625 | 91-94-1 | 10 | ND |
| Diethylphthalate | 625 | 84-66-2 | 10 | ND |
| Dimethylphthalate | 625 | 131-11-3 | 10 | ND |

ND = None Detected

< = Less than

*EPA published method detection limit

BASE/NEUTRAL COMPOUNDS - continued

| <u>Parameter</u> | <u>Method No.</u> | <u>CAS #</u> | Method Detection Limit * (ppb) | <u>Found (ppb)</u> |
|---|-------------------|--------------|---|------------------------|
| 2,4-Dinitrotoluene | 625 | 121-14-2 | 10 | ND |
| 2,6-Dinitrotoluene | 625 | 606-20-2 | 10 | ND |
| Di-octyl-phthalate | 625 | 117-84-0 | 10 | ND |
| 1,2-Diphenylhydrazine | 625 | 112-66-7 | 10 | ND |
| Fluoroanthene | 625 | 206-44-0 | 10 | 310 |
| Fluorene | 625 | 86-73-7 | 10 | 570 |
| Hexachlorobenzene | 625 | 118-74-1 | 10 | ND |
| Hexachlorobutadiene | 625 | 87-68-3 | 10 | ND |
| Hexachloroethane | 625 | 67-72-1 | 10 | ND |
| Hexachlorocyclopentadiene | 625 | 77-47-4 | 10 | ND |
| Indeno (1,2,3-cd) pyrene | 625 | 193-39-5 | 25 | ND |
| Isophorone | 625 | 78-59-1 | 10 | ND |
| Naphthalene | 625 | 91-20-3 | 10 | 840 |
| Nitrobenzene | 625 | 98-95-3 | 10 | ND |
| N-Nitrosodimethylamine | 625 | 62-75-9 | 25 | ND |
| N-Nitrosodi-N-propylamine | 625 | 621-64-7 | 10 | ND |
| N-Nitrosodiphenylamine | 625 | 86-30-6 | 10 | ND |
| Phenanthrene | 625 | 85-01-8 | 10 | 1800 |
| Pyrene | 625 | 129-00-0 | 10 | 690 |
| 1,2,4-Trichlorobenzene | 625 | 120-82-1 | 10 | ND |
| 2,3,7,8-Tetrachlorodibenzo -p-dioxin | 625 | 1746-01-6 | - | - |

ND = None Detected

< = Less than

*EPA published method detection limit

NEW YORK TESTING LABORATORIES, INC.

Page 4.

SAMPLE IDENTIFICATION NO. 42783

Lab No. 83-68847

ACID COMPOUNDS

| <u>Parameter</u> | <u>Method No.</u> | <u>CAS #</u> | <u>Method Detection Limit* (ppb)</u> | <u>Found (ppb)</u> |
|----------------------------|-------------------|--------------|--|------------------------|
| 4-Chloro-3-methylphenol | 625 | 59-50-7 | 25 | ND |
| 2-Chlorophenol | 625 | 95-57-8 | 25 | ND |
| 2,4-Dichlorophenol | 625 | 120-83-2 | 25 | ND |
| 2,4-Dimethylphenol | 625 | 105-67-9 | 25 | ND |
| 2,4-Dinitrophenol | 625 | 51-28-5 | 250 | ND |
| 2-Methyl-4,6-dinitrophenol | 625 | 534-52-1 | 250 | ND |
| 2-Nitrophenol | 625 | 88-75-5 | 25 | ND |
| 4-Nitrophenol | 625 | 100-02-7 | 25 | ND |
| Pentachlorophenol | 625 | 87-86-5 | 25 | ND |
| Phenol | 625 | 108-95-2 | 25 | ND |
| 2,4,6-Trichlorophenol | 625 | 88-06-02 | 25 | ND |

ND = None Detected

< = Less than

*EPA published method detection limit

PESTICIDE COMPOUNDS

| <u>Parameter.</u> | <u>Method No.</u> | <u>CAS #</u> | <u>Method Detection Limit* (ppb)</u> | <u>Found (ppb)</u> |
|----------------------|-------------------|--------------|--------------------------------------|--------------------|
| Aldrin | 608, 625 | 309-00-2 | 10 | ND |
| α -BHC | 608, 625 | 319-84-6 | 10 | ND |
| β -BHC | 608, 625 | 319-85-7 | 10 | ND |
| δ -BHC | 608, 625 | 319-86-8 | 10 | ND |
| γ -BHC | 608, 625 | 58-89-9 | 10 | ND |
| Chlordane | 608, 625 | 57-74-9 | 10 | ND |
| Dieldrin | 608, 625 | 60-57-1 | 10 | ND |
| α -Endosulfan | 608, 625 | 959-98-8 | 10 | ND |
| β -Endosulfan | 608, 625 | 33213-65-9 | 10 | ND |
| Endosulfan sulfate | 608, 625 | 1031-07-08 | 10 | ND |
| Endrin | 608, 625 | 72-20-8 | 10 | ND |
| Endrin aldehyde | 608, 625 | 7421-93-4 | 10 | ND |
| Heptachlor | 608, 625 | 76-44-8 | 10 | ND |
| Heptachlor Epoxide | 608, 625 | 1024-57-3 | 10 | ND |
| 4,4'-DDT | 508, 625 | 50-29-3 | 10 | ND |
| 4,4'-DDE | 608, 625 | 72-55-9 | 10 | ND |
| 4,4'-DDD | 608, 625 | 72-54-8 | 10 | ND |
| PCB 1016 | 608, 625 | 12674-11-2 | 10 | ND |
| PCB 1221 | 608, 625 | 11104-28-2 | 10 | ND |
| PCB 1232 | 608, 625 | 11141-16-5 | 10 | ND |
| PCB 1242 | 608, 625 | 53469-21-9 | 10 | ND |
| PCB 1248 | 608, 625 | 12672-29-6 | 10 | ND |
| PCB 1254 | 608, 625 | 11097-69-1 | 10 | ND |
| PCB 1260 | 608, 625 | 11096-82-5 | 10 | ND |
| Toxaphene | 608, 625 | 8001-35-2 | 10 | ND |

ND = None Detected

< = Less than

*EPA published method detection limit

NEW YORK TESTING LABORATORIES, INC.

Page 6.

SAMPLE IDENTIFICATION No. 42783

Lab No. 83-68847

METALS AND PHYSICAL CHEMISTRY

| <u>Parameters (ug/kg)</u> | <u>Method No.</u> | <u>CAS #</u> | <u>Method Detection Limit*</u> | <u>Found</u> |
|---------------------------|-------------------|--------------|------------------------------------|----------------------|
| Arsenic | 206.2 | 7440-38-2 | 1 | 3.4×10^3 |
| Barium | - | - | - | 152.0×10^3 |
| Cadmium | 213.1 | 7440-43-9 | 5 | 4.8×10^3 |
| Chromium | 218.1 | 7440-47-3 | 50 | 69.7×10^3 |
| Copper | 220.1 | 7550-50-8 | 20 | 115.0×10^3 |
| Lead | 239.1 | 7439-92-1 | 100 | 426.0×10^3 |
| Mercury | 245.1 | 7439-97-6 | 0.2 | 0.5×10^3 |
| Nickel | 249.1 | 7440-02-0 | 40 | 41.5×10^3 |
| Selenium | 270.2 | 7782-49-2 | 20 | $< 0.02 \times 10^3$ |
| Silver | 272.1 | 7440-22-4 | 10 | 1.9×10^3 |
| Zinc | 289.1 | 7440-66-6 | 5 | 597.0×10^3 |

ND = None Detected

< = Less than

* EPA published method detection limit

MEMO

TO Ronald T. Corcory

FROM Tom Downey *TD*

DATE June 14, 1982

SUBJECT New York Attorney General's request concerning NJ waste oil reproprocessors

SCA Chemical Services (Earthline)

SCA Earthline is currently operating under a DEP issued permit for chemical processing and treatment. They are also a registered hauler.

The following is a list of permitted waste types which are stored and treated.

I. Organic Reclamation from Contaminated Aqueous Waste

- (a) Aqueous methanol
- (b) Mixed organics
- (c) Mixed chlorinated solvents
- (d) Pyridine water
- (e) Oil and hydrocarbon contaminated water
- (f) Aromatic carboxylic acid salt-water
- (g) Polymer-water solution
- (h) Ketone and solvent contaminated water
- (i) Ink wastes

II. Acid/base Neutralization

- (a) Metal contaminated acids
- (b) Pickling acids with organic contaminants
- (c) Ferric chlorides
- (d) Etching solutions
- (e) Acid and alkali BTX residues
- (f) Phenolic contaminated acids
- (g) Sodium aluminates
- (h) Aluminum sulfates
- (i) Spent mixed acids
- (j) Spent mixed alkali

III. Hazardous Waste Detoxification (oxidation-reduction)

- (a) Cyanide waste
- (b) Arsenic waste with organic contaminants
- (c) Chromate waste
- (d) Sulfide waste
- (e) Mercury waste
- (f) Antimony waste
- (g) Chemical carcinogens (requires specific approval)
- (h) Mixed heavy metal waste

IV. Fuel Reclamation and Formulation

- (a) Waste machine lubricating oil
- (b) Waste solvent and oil mixture
- (c) Contaminated hydraulic oil

IV. Fuel Reclamation and Formulation (continued)

- (d) Waste fuel oil
- (e) Waste petrochemicals
- (f) Recovered organics

Cases pending in the following areas:

- (a) manifests
- (b) Drum labeling
- (c) Engineering design

B & L Oil Corporation

B & L Oil is currently operating under a DEP issued TOA (Temporary Operating Authorization) which expires 12/31/82. They are permitted for reprocessing and storage of waste oil and oil sludge. On 3/22/82, an Administrative Consent Order was issued to B & L in which they are in full compliance. This order resulted from B & L's operation of an unregistered oil facility in Kearny, NJ. As of this date, B & L is still registered to haul hazardous waste in NJ.

Evergreen Environmental Industries (Kit)

Evergreen ceased all operation as of early March, 1982. Their original TOA was issued 3/23/79 for chemical processing and treatment. TOA was issued for a period of one year, after that date, Evergreen operated on old TOA pending outcome of negotiation with DEP.

Evergreen was permitted to accept and treat the following waste streams.

- (a) Oil lubricants, non-emulsifiable oils such as lubricating oils and grease.
- (b) Fats and fatty oils, food processing, natural fats and oils resulting from animal and plant processing.
- (c) Heavy hydrocarbons, fuels, tars which include crude oils, diesel fuel, #6 fuel oil and residual oils.
- (d) Light hydrocarbons, gasoline, kerosene, jet fuel and other miscellaneous solvents which are separable by conventional gravity separation or polymer coagulation.

Cases pending:

- (a) Numerous TOA violations
- (b) Numerous manifest violations

Evergreen did not have a permit to haul hazardous waste in NJ.

Thomas W. Dwyer

20-11



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF WASTE MANAGEMENT

32 E. Hanover St., CN 028, Trenton, N.J. 08625

Dr. Marwan M. Sadat, P.E.

~~XXXXXXXXXX~~
DIRECTOR

LINO F. PEREIRA
DEPUTY DIRECTOR

September 20, 1983

M E M O R A N D U M

TO: Joseph A. Rogalski
Assistant Director
Enforcement

FROM: Edward J. Londres
Assistant Director
Engineering

SUBJECT: Kit/Evergreen/Hyatt PCB Analysis

This is in response to several inquiries (the most recent dated 9/8/83) regarding the PCB analysis that were performed on oil samples taken from the Kit Waste Oil Facility and the Hyatt Roller Bearing Plant during February, March, and April of 1982.

First let me summarize from recollection the events that took place. Oil samples were secured from the Kit waste oil facility on February 19, 1982. Analysis were received from Stablex-Reutter in early March which indicated the presence of PCB's in excess of 50 ppm. The company was called and ordered to cease operations. Upon examination of records it was determined that Hyatt Clark Roller Bearing Plant routinely disposed of their waste at Kit and therefore samples were taken from Hyatt and sent to Stablex for analysis. At the same time, DEP was taking additional samples from Kit and legally attempting to close Kit. Kit was ordered closed and chained. Questions concerning the accuracy of PCB analysis also surfaced during this time and numerous phone calls and meetings took place. All of the activities thus far described took place in a relatively short time frame that brought us to mid-March.

By this time, the Commissioner, Deputy Commissioner, two Assistant Commissioners, three Directors, three Assistant Directors, plus numerous staff from DEP were involved. At one point, I believe the Governor was briefed. In addition, during this period Herb Jaffe was conducting an evaluation of the Enforcement activities of Waste Management which resulted in a seven day story in the Newark Star Ledger.

Up to this point, I kept copies of all analysis and worked closely with Wayne Howitz. However, Sid Gray was named the DEP primary coordinator of this project and was named the primary person to deal with Stablex.

Because of the questions regarding the accuracy of the analysis, several experts were contacted and a meeting took place among these experts in the Health Building on March 18, 1982. Conclusions drawn at the close of this meeting indicated that PCB analysis is very complicated and the levels that we thought existed did not. This prompted Stablax to re-analyze samples, verify procedures, withdraw previously submitted reports, etc. These activities were handled directly by Sid Gray and Stablax. To my knowledge no one else was involved.

In an effort to gain a better understanding of PCB analysis, Stablax consulted with Versar Labs in Virginia and the EPA Labs in Colorado. Analysis and reports of such may have been conducted during these consultations; however, I was not aware of any.

By April, the matter was in a more settled state, the Division of Waste Management was being formulated and I was subsequently transferred to this new Division as Assistant Director for Engineering. All records and files that were under my direction as Assistant Director for Enforcement were left with the Enforcement element under the direction of Keith Onsdorff who was named Assistant Director for Enforcement.

Accordingly, I can only suggest that if anyone wants copies of the report of analysis associated with this matter that they contact Sid Gray and Stablax and try to reconstruct this case. I would also suggest that Wayne Howitz and possibly Jim Mumman (DWR) be consulted as to their understandings of the events that transpired.

I hope this overview is helpful to you and should you have questions, I will be available to discuss this information with you.


E. J. L.

EPl:d

c: R. Corcory
W. Howitz
K. Gashlin

State of New Jersey

20-0419

Kit

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW

MEMORANDUM

DATE: December 27, 1983

TO: Lorraine Pullen, ORS
FROM: Dorothy M. Highland, DAG
SUBJECT: Division Realty v. DEP (Evergreen)
Docket No. L-22052-82

Enclosed for your information are the Order and Opinion in the above-referenced matter dismissing the property owner's action against DEP.

As you may recall, Division Realty, the owner of the property who dispossessed Kit/Evergreen, the tenant hazardous waste facility operator, asked the court to compel DEP to cleanup the hazardous wastes remaining on the property and sought compensation from DEP for damages to the property. In granting DEP's motion to dismiss, the Superior Court, Law Division, ruled that decisions to clean up hazardous waste sites were within the discretion of DEP and could not be made by the court, and that DEP's inspections and preliminary cleanup activities at the property did not convert it to "public property" under the Tort Claims Act so as to remove DEP's immunities under that act. The court denied the property owner's cross motion to dismiss DEP's counterclaim to compel cleanup of the property.

If you have any questions about this matter, please call me.

D.M.H.

DMH:fad

enclosures

cc: Ed Londres, DWM
Ron Corcory, DWM
Vincent Krisak, DWM
Ferd Scacetti, DWM ✓

MEMO

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

TO To FileFROM Tom DowneyDATE 4/6/82SUBJECT Evergreen Environmental Industries HWEF 20-113/5/82

Arrived on site at Evergreen at 1430 hours accompanied by Tom Brady, Mike Nalbhone and Wayne Howitz. We met with Paul Francisco, Evergreen President, Douglas Fuhrman and Robert Angione, both of AH Environmental Inc (201-967-7411). AH Environmental are environmental consultants representing Evergreen. Mr. Francisco stated that starting Monday 3/8/82, AH Environmental would be supplying a gas chromatograph and operating technicians to check all loads of incoming oil for PCBs. The cost for this service would be \$2000 per week. It was explained to Mr. Francisco that the purpose of our visit was to sample tanks on site and review records. While other members of the group began sampling, I reviewed manifests and operating records for the week of 2/2/82-2/8/82. From records made available it was determined that six loads of reprocessed oil were sent out from tank #5 during the above period. Of the loads, 2 were hauled by Intercity Tank Lines (ITL) and 4 were hauled by Island Petroleum. A number of loads of waste oil were off loaded into tank #5 during this period, (see attached operating inventory) plus two transfers from tank #3. All of the loads with the exception of the two transfers and one from Hyatt Clark Industries came from various service stations. The load from Hyatt was hauled by Mercury Waste Oil on manifest NJ0081439 (see attached). I requested from Mr. Francisco copies of all bill of lading for loads which left tank #5 during the above period and the source of the material transferred into tank #5. Mr. Francisco agreed to supply the material by Monday 3/8/82. While reviewing records, Sgt. Guslavage and Det. Chiefo of the Elizabeth Police Dept. and Al Bitinas of the Elizabeth Health Dept. arrived on site. Sgt. Guslavage read Mr. Francisco his rights and told him that his records were going to be removed. Mr. Francisco then contacted his attorney, Mark First. I explained the situation to both the police and the health officer as to what was going on. I informed them that the DEP and Evergreen were negotiating a consent agreement and requested they cooperate with the State and avoid publicizing the situation; they agreed. Both parties left shortly, the police without records.

The sampling operation was concluded at about 1900 hours. All tanks, tank trailers, clarifier and process trench were sampled for a total of twenty-three samples. In most cases a composite sample was taken. Split samples were made available to Evergreen.

At about 1945 hours Lorraine Pullen arrived on site with a consent agreement in which Evergreen agreed not to accept or ship out any waste oil until 1300 hours on 3/8/82. After a few phone calls Paul Francisco signed the agreement.

We left the site at about 2030 hours.

It should be noted that during sampling operations our group was approached by a photographer from the Star Ledger. He requested permission to photograph us. He was told by Tom Brady that he would have to get permission from the facility operator. Paul Kotarski, Plant Manager for Evergreen, gave permission.

3/9/82

At 1600 hours I met on site at Evergreen with Paul Francisco. Mr. Francisco informed me that he now felt that the PCBs in his system had originated at Hyatt Clark Industries. He said that a sample taken earlier that day by Wilbert Brower of Mercury Waste Oil, from a 25,000 gal. tank at Hyatt was run on GC by AH Chemist Jack and was found to contain PCBs in excess of 1000 ppm. Also present during part of this meeting were AH employees Doug Fuhrman and Jack. Mr. Francisco seemed very down hearted during much of our meeting and expressed some concern about the State closing his facility. However, after a few calls to his attorney, Mark First, his mood changed, almost to the point of celebrating. At this time, Mr. Francisco taunted me with such statements as "you thought you really had us" and "we're not finished yet". I left the site at 1800 hours.

3/10/82

I returned to Evergreen the following morning at 0910 to find Wayne Howitz on site and involved in a dispute with Paul Francisco concerning a truck owned by Larry's Waste Oil. The truck had been on site and contained about 150 gal. of waste oil and wanted to leave. Standing orders were no trucks were to enter or leave. Truck was sampled and analyzed with no PCBs found. One hundred and fifty gallons were then unloaded into tank #5. The driver was allowed to leave, however, decided it was too late by then. About 1400 hrs., waste oil trucks started showing up to off load. Standing orders from BHW remained the same, no trucks allowed to off load and nothing to be shipped off site. Drivers remained outside of the facility until about 1630 hrs. waiting for some type of okay from State. At this time, the following four haulers left: Mercury Waste Oil - NJ0104831, S&M Waste Oil - NJ0105023, S&M Waste Oil - NJ0105022, Loeffels Waste Oil Service - NJ0109018(see attached). Since it was too late to send haulers to another facility I rejected their loads and instructed them to send letters of explanation to the State about the rejection and remanifest material out the following morning to another facility. Two haulers remained. At 1830 hrs. Paul Francisco informed me that he had received word from his attorney, Mark First, to allow these last two haulers to unload and that I had better not stand in their way. I then contacted DAG Dave Schneider who confirmed this. However, before I allowed trucks on site, I spoke with Elizabeth Police who were stationed at the front gate. (Drivers were concerned that they would not be allowed back out.) Capt. Kelly and Sgt. Guslavage agreed to allow DEP to handle situation and since I did not feel that we needed their help any longer, they removed the police personnel from the front gate. Drivers unloaded without incident. GC analysis did not reveal any PCBs. Loeffels unloaded 2495 ga. waste oil NJ0109021 to tank #3 and Robert More unloaded 2164 gal. waste oil to tank #4 on manifest NJ0080533.

At 2000 we were relieved by Mike Nalbone and Bruce Venner.

3/11/82

I arrived at manhole #1 (200 ft. north of Evergreen) at 0805 to relieve Donna Dawson and Jon Berg. At 0830 4 employees from Joint Meetin Sewage Authority arrived and placed an air plug in effluent discharge line leading from Evergreen. At 0915 Mercury Waste Oil truck came into deliver. I explained that the situation remained unchanged from yesterday, my orders were the same. However, he decided to wait awhile in hopes of some decision from Trenton. At 1050 a truck from AME arrived on site, generator Garden State Paper, manifest NJ0081530. I explained to the driver that the facility was closed, contacted the generator and remanifested material to CBI, Brooklyn, NY on manifest NJ0035662 (see attached). Sample TD081 taken from the load. Mercury Waste Oil gave up waiting, so I sampled load, TD082, and manifested load to Lionetti Oil Recovery on manifest NJ0084875.

At about 1230 while engaged in a conversation with Doug Fuhrman and Jack , Paul Francisco approached the group and informed AH consultants that they were not to enter into discussions with State representatives unless it was business. Mr. Francisco then told me that he did not want me "fraternizing with his employees, and to only speak to them concerning business". AH consultants then left and as I was to find out later, went to Hyatt Clark plant and took two samples. They later returned, ran samples in lab on site at Evergreen and found PCB concentrations in excess of 1000 ppm

At about 1445 a truck from Loeffels Waste Oil arrived. I rejected load and sent load back out on new manifest NJ0035663.

At 1625, Mr. Francisco informed me that I had "violated his civil rights six times so far that day and that I should be sweating since he was getting a big Washington attorney". I had heard the same thing about his civil rights a few other times earlier in the day.

At 1635, Biff Lowry arrived on site. I began sealing all tanks containing PCBs with wire and lead seals. At 1745, Dave Potts arrived on site and assisted with sealing operation. Operation was completed at about 1915. I left site at 1945; Lowry and Potts remained outside gate.

3/12/82

I arrived back at Evergreen at 0800 to relieve Kevin Gashlin. I entered lab trailer at 0830 and spoke with AH representative Jack . He explained to me the sampling he had done yesterday at Hyatt. He also said that the \$3000 check he received from Evergreen had bounced. Mr. was not very confident that his firm would continue to represent Evergreen after today.

At 0920, Paul Francisco and Joe Sullivan entered lab trailer. Mr. Francisco wanted to know if the State was going to allow him to accept loads today. I told him that my orders remained the same as yesterday. He then complained that I was violating his civil rights.

At 1030 a truck from Eldridge Inc., generator McNeal Labs, arrived on site, NJ0104573. I informed the driver that the load could not be accepted and would have to go to an alternate facility. I then received a call from Dave Schneider and he told me that we should allow them to accept loads. I explained this to the driver and Francisco. Francisco then rejected load (see attached manifest NJ0104573 and PA A4744574) because of PCB contaminated waste water system (sample TD083 taken). About this time, Mr. Francisco received a call that a Constable from Eliazbeth was on his way with immediate eviction notice. At about 1110 Constable Stillwell and Tree Realty representative Ben Baron (201-376-2250) arrived on site and eviction papers were served to Mr. Francisco. Mr. Baron chained and locked gates as employees gathered a few personal belongings. All Evergreen personnel were off site by 1130. I briefly explained the PCB situation on site to Mr. Baron and signed for a key to the lock on the gate. Mr. Baron stated that Evergreen was evicted for non payment of rent.

At 1140, a truck from Continental Vanguard arrived at the back gate, generator Safety-Kleen manifest NJ0068860. I explained the situation and after contacting the generator, manifested the material to Chem-Clear on manifest NJ0035674, sample TD084.

At 1330 I met on site with Elizabeth City Attorney Luis Bello, landlord Stanley Lesenbalm (201-467-5750), JMSA Al Formewald and Ben Baron. Mr. Lesenbalm was informed of the recent events leading up to PCB situation at Evergreen. An inventory of contaminated material on site was given to Ben Baron.

It was decided by Ron Corcory that tanks containing levels of PCBs over 50 ppm would be chained and locked. All others would be sealed with wire and lead. At about 1700, BHW personnel Dante, Iannuzzi and Czachor arrived on site to assist me with the task. At 2045 hours BHW personnel Corcory, Brady and Gashlin arrived on site with locks and chains. Outlet and inlet valves on tanks 1, 6, 9, 10 14 and tank trailer 1223, comp. 1 and 4 were chain locked. Clarifier, sludge box and effluent discharge basin were covered with plastic cover. Main office trailer doors and valves in pump sump house were also chain locked. We left site at 0030 hours, 3/13/82.

3/17/82

I arrived on site at 0930. Plastic cover had blown off clarifier and process trenches had overflowed onto floor of process building. Locks on trailer, tanks and gates all secure. I left site at 1020 and returned at 1300 hrs. A 5000 gallon vac trailer from Moran Crowley arrived at 1340 hrs. I had driver vac 5000 gallons of liquid out of process trench and transfer liquids to tank trailer 1224. This lowered level in process trench by 8-10 inches. Vac truck left at 1540 (see attached invoice). I left site at 1600 hrs.

3/18/82

I arrived on site 0905 and allowed PSE&G employee onto site to read electric meter. At 1045 power was cut to facility. I then contacted owner, who informed me that he was not paying for power to light

facility and that if the State wanted lights, they would have to pay for them. He did say that he had an electrician scheduled to connect a 5 light cluster on the corner of the 3 story building. At 1350 an electrician from Superior Electric arrived and ran a line from Barr Ind. and connected five light cluster. I left site about 1530.

3/22/82

I arrived on site at 1215 and inspected facility, locks, tanks, clarifier and tank farm; all secure. About eight inches of freeboard noted in process trench. I left site about 1300 hours.

3/24/82

I arrived on site at 0915 and noted that the office trailer adjacent to process building was missing. (I was informed on 3/23/82 that chain on back gate had been cut. Elizabeth Poice Dept. placed a new lock on gate.) I then contacted Bob Leach of EZ Way Trailer Rentals, owner of missing trailer. Mr. Leach confirmed the fact that he had removed the trailer, but denied cutting chain. (Elizabeth Poice is investigating.) Mr. Leach stated that trailer was removed because of non payment of rent (about \$2000). Trailer did not appear to contain any records, however, at my request Mr. Leach will set aside anything he removes from trailer for review by DEP. I also contacted Frank Ferranti, owner of two of the remaining three office trailers on site. I explained the situation to Mr. Ferranti concerning our wish to secure Evergreen's files. According to Mr. Ferranti, Evergreen owes him over \$2000 in back rent. I also contacted Design Space Rentals, owner of larges office trailer on site. I spoke with a Ms Sohloski who told me that Evergreen owed her company about \$2500 in back rent. I explained the situation to her and she requested from the State a letter explaining this (200 Federal Blvd., Carteret, NJ 07008). I left site about 1100.

3/26/82

I arrived back on site at 1100 accompanied by BHW engineer Bob Chinery. Together we again went over engineering designs for facility. It was suspected that lines from adjacent industries were contributing to liquid in trench (process). Level had now risen to within 4 inches of top. Engineering design indicated that a process sewer line tied into manhole north of lab trailer from Barr Industires and that a line ran from manhole #5 (adjacent to Red Oak Container) into Evergreen pump sump house. However, liquid levels in manhole were too high to determine if lines were actually there. Another vac truck would have to be brought in to lower level of process trench to which manholes and lines connected.

At 1400 hrs. Steve Resnich DAG, Bruce Swartz DAG, Carmine Polizzo CJ investigator, Ray Lynch Union County Task Force and Sgt. Guslavage Eliz. PD arrived. They asked a number of questions and I gave them a tour and an explanation of facility processes. We left site at about 1600 hrs.

3/29/82

I arrived on site at 0945 and discovered a broken steam line spraying water. Line had apparently frozen and ruptured over weekend. I turned

off source of water. Process trench had about 2" of freeboard. Locks, trailer, tanks and clarifier secure. I left site at 1055 and returned again at 1235. No change noted on site. Left at 1330.

3/30/82

I arrived at site at 0900 and found an electrician from Superior Electric already on site. He had scaled fence at 0815 and was changing over service on five light cluster. Electrician stated that Evergreen owed his company about \$10,000. Electrician left at 0925. I inspected site and found the rest of facility to be secure. I left site at 1015.

3/31/82

I met Frank Ferranti, owner of two trailers on site at 0910 at Evergreen. Mr. Ferranti was concerned about getting his trailer back and had contacted his attorney. It was his feeling that if the State was not going to release his trailer than he should at least be compensated for them. I checked site and found it to be secure. It was raining at this time and process trench was about 1 inch from overflowing. (Tank farm sump drains to manholes north and south of lab trailer and then into process trench.)

I left site at 0945 and returned at 1300 hrs. Rain continuing, heavy at times, process trench less than 1/2 inch from top; liquid backing up in tank farm sump and liquid levels higher than before in manholes near lab trailer. Liquid also noted backing up in effluent discharge basin from blocked line. A ladder was placed against yellow acid tank across from clarifier. Tank was found to contain about 2500 gallons of unidentified liquid (only tank not sampled).

4/1/82

At 0915, Tom Brady, Bob Chinery and myself met on site with Al Fornewald of JMSA. Mr. Fornewald supplied us with 8 inch air plugs and an air tank. Our purpose was to seal lines in tank farm sump, manhole #5 and manhole north of lab trailer after there had been cleaned out via a vac truck. At 0930 a vac truck from Moran Crowley arrived. Three thousand gallons of liquid was pumped out of process trench with 1500 gallons transferred to tanker 1224 and 1500 to T108. Another 3000 gallons was taken from process trench and transferred into tank #15. Tank farm sump and large manhole south of lab trailer was vacuumed out resulting in 3000 gallons of oil and heavy sludge. After two attempts and much effort to remove old wire mesh and retain moving sludge pile in tank farm sump (underneath pump house) Tom Brady and myself managed to blank off eight inch discharge line with air plug. Oil and sludge was pumped into tank #3. An additional 3000 gallons of liquid was then vacuumed out of process trench with about 1500 gallons transferred to tank #3 and remainder going into compartments 2 and 3 of tank trailer 1223. Lines in manholes could not be sealed since we did not have any six inch plugs. Moran Crowley truck left site at 1530 hrs. Driver was very cooperative and worked through lunch. Process sump was now empty of liquid with about 1/2 of trench containing 8-12 inches of sludge. We left site at 1600 hrs.

4/2/82

I returned to site at 0900 hrs. and met with Sgt. Guslavage. At 0915 Frank Ferranti arrived and again wanted his trailer. I gave him Dave Schneider's number for further assistance. At 0930, Bruce Swartz, DAG, Frank Brady, Vince Matulavich and Tom Flannagan of Criminal Justice, and Ray Lynch of Union County Task Force arrived on site. I again gave the group a tour and answered their many questions. Tom Flannagan took numerous photographs of the site. Sgt. Guslavage, Bruce Swartz and myself inspected the three story building next to the lab trailer. We found about 150-200 sample containers generated by Evergreen or their customers, located on the second floor. A number of reagent grade lab chemicals were found on the third floor. After the group left at 1400 hrs. I remained on site preparing to plug manhole lines and tank farm sump outlet (plug had leaked and did not hold). At 1605 a vac truck from Moran Crowley arrived on site. At 1745 Tom Brady arrived on site with various size plumbers plugs. A six inch plug was placed in line coming from Barr Ind. in manhole north of lab trailer. Tank farm sump under pump house was again vacuumed out and an eight inch plug was placed in outlet.

Manhole #5 was a greater problem to plug. First about 1000 gallons of sludge and liquid was vacuumed out of manhole and connecting lines. I entered manhole using a ladder with MSA air pack suspended overhead. After considerable effort, crouched over and standing in six inches of sludge and muck, six inch plug was installed. Plant manager of both Barr's and Red Oak were notified that lines were being blanked off. Liquid on vac truck was transferred to tank #4 (1500 gal.). Vac truck left site at 2000 hrs. Additional samples were also taken, TD092 from tank #14 and TD093 adjustment tank in process building. We left site at 2130.

It is recommended that a heavy gauge PVC tarp be used to cover clarifier to prevent rain water accumulation. If clarifier is not going to be cleaned for sometime, then something more permanent should be constructed such as a frame with a plywood cover.

Landlord should be required to provide a security guard for nighttime and weekend hours. Site should continue to be checked on daily by DEP personnel.

Thomas W. Downey

Evergreen Tank Inventory as of 4/2/82

| | |
|--------|-------------------------------------|
| Tank 1 | 7556 gal. oil, sludge |
| 2 | 12,423 gal. oil and water |
| 3 | 12,500 gal. oil and water |
| 4 | 17,500 gal. crankcase oil and water |
| 5 | 10,516 gal. crankcase |
| 6 | 7627 gal. oil and water |
| 7 | 11,000 gal. oil and water |
| 8 | 12,223 gal. oil and water |
| 9 | 11,168 gal. oil and water |
| 10 | 12,349 gal. oil and water |
| 11 | 11,374 gal. oil and water |
| 12 | 11,061 gal. oil and water |
| 14 | 12,606 gal. oil and water |
| 15 | 12,500 gal. oil and water |

| | |
|--------------------------|--|
| Orange caustic tank | 2800 gal. (possible alkaline solution) |
| Adjustment tank | 3000 gal. oil sludge |
| Yellow acid tank | 2500 gal. (possible acid) |
| Clarifier | 20,000-25,000 gal. oil, water, sludge |
| Sludge box | 1500 gal. oil, water, sludge |
| Effluent discharge basin | 300-400 gal. liquid |
| Process trench | 2000-3000 gal. sludge |
| Tanker T101 | 3500 gal. oil and water |
| T108 | 6500 gal. oil and water |
| 1224 | 6500 gal. oil and water |
| 1223 comp. #1 | 221 gal. oil |
| comp. #2 | 450 gal. oil and water |
| comp. #3 | 1000 gal. oil and water |
| comp. #4 | 3071 gal. oil |

99-55 gallon drums of oil, sludge and chemical waste

Thomas V. Downey

Office Trailer

Gate

Evergreen

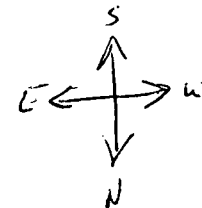
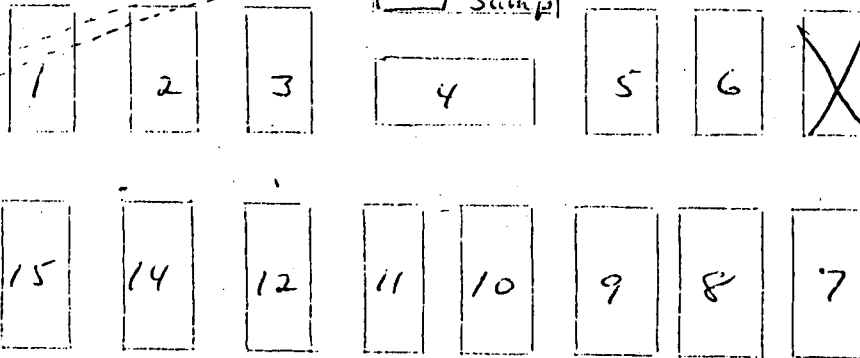
4/2/82

T101

1223

ITL
Mobil
Oil
Cooker

8" plug
Tank farm
Sump



Tanker
K 1108
Tanker
K 1224

munkhole

Lab
Trailer

P.D.

6" line
plug

By pass line

Cooking
Trough

Barr Incl.

Gate

Caustic
Tank

Process Trench

Acid
Tank

SPRINKLER
SYSTEM

Pump
Sump
House

Effluent
Discharge
Basin

Acid
Tank

Sludge
Box

Monitoring
Shed

To main

Red
Mark

BUREAU OF HAZARDOUS WASTE
FACILITY INSPECTION FORM

Facility Name: Evergreen Environmental Ind. D. # 8004A Date: 2/5/12 Time: 0845

Facility Type: Treatment/Process

Street: 475 Division St.

Lot: 8

Block: 4287

Town: Elizabeth

Phone: 201-289-6560

County: Union

Person Contacted: Paul Kotarski

Position: Plant Manager

Inspector: Tom Downey

Weather Conditions: Clear ☒ Rain ☐ Snow ☐

Wind Direction: NW Temp: 35 Speed 5-10 MPH

Security Measures: Fence ☒ Yes ☐ No

Guard ☒ Yes ☐ No

Other _____

Safety Features:

Firefighting ☒ Yes ☐ No

Type:

Extinguisher ☒ Guns ☐ Other ☐

Protective Clothing: ☒ Yes ☐ No
(Issued to Employees)

Written Emergency Procedures Posted ☒ Yes ☐ No

Inspection Observations:

Odors: On Site ☒ Yes ☐ No Off Site ☐ Yes ☒ No

Source: In process building

Leaks, Spills: On Site ☒ Yes ☐ No Off Site ☐ Yes ☒ No

Source: See comment # 4

Overall Housekeeping: Poor ☐ Fair ☒ Good ☐ Excellent ☐

Drum Storage:

Total No. 104 Size 55 gal Type Steel

Stacked Height: ☒ 1 Drum ☐ 2 Drums ☐ 3 Drums ☐ 4 or more

Palletized: ☐ Yes ☐ No Some are

Kit File
HW EF 20/11



ALLIED-KELITE PRODUCTS DIVISION ☐ 81 INDUSTRIAL ROAD, BERKELEY HEIGHTS, NEW JERSEY 07922 ☐ 201/464-1400

December 16, 1981

Mr. Paul Francisco
Evergreen Env.Inds.
471 Division Street
Elizabeth, N.J.

Dear Sir:

Pertaining to our problem of Chrome being in our waste water. Please be informed that we are not in the habit of dumping Chrome into our waste water. Unfortunately, in this particular instance, some small chrome deposits were inadvertently dumped into the system. Proper steps have been taken to prevent this from happening at any time in the future.

Yours very truly,

Jeff Schwartz
Jeff Schwartz

lc

Eu

State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW

MEMORANDUM

DATE: December 27, 1983

TO: Lorraine Pullen, ORS

FROM: Dorothy M. Highland, DAG

SUBJECT: Division Realty v. DEP (Evergreen)
Docket No. L-22052-82

Enclosed for your information are the Order and Opinion in the above-referenced matter dismissing the property owner's action against DEP.

As you may recall, Division Realty, the owner of the property who dispossessed Kit/Evergreen, the tenant hazardous waste facility operator, asked the court to compel DEP to cleanup the hazardous wastes remaining on the property and sought compensation from DEP for damages to the property. In granting DEP's motion to dismiss, the Superior Court, Law Division, ruled that decisions to clean up hazardous waste sites were within the discretion of DEP and could not be made by the court, and that DEP's inspections and preliminary cleanup activities at the property did not convert it to "public property" under the Tort Claims Act so as to remove DEP's immunities under that act. The court denied the property owner's cross motion to dismiss DEP's counterclaim to compel cleanup of the property.

If you have any questions about this matter, please call me.

D.M.H.

DMH:fad
enclosures
cc: Ed Londres, DWM
Ron Corcory, DWM ✓
Vincent Krisak, DWM
Ferd Scacetti, DWM

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

MEMO

TO Ronald T. Corcory *RC*

FROM Wayne Howitz *WH* DATE 3/9/82

SUBJECT Sampling at Evergreen Environmental, 475 Division Street, Elizabeth, NJ.

On March 5, 1982, the Bureau of Hazardous Waste conducted an extensive sampling of Evergreen's above ground stationary tanks, tank trailers, clarifier, sludge box and drums.

The purpose of the extensive sampling was due to the analytical results of Inspector Tom Downey's routine sampling on 2/5/82 of stationary tank #5 (sample #TD068, Inland Petroleum tank trailer NJ lic. # 558-TAT (sample #TD067) and Auchter Ind. Vac Service, trailer # 2A017 (sample #TD069). The analytical results depicted elevated concentrations of PCB's in samples TD067 and TD068; 120 μ g/g and 490 μ g/g as arochlor 1254 respectively.

At 1430 hrs. Bureau personnel arrived on scene and met with representatives of Evergreen Environmental. The representatives were Paul Fransisco, President, Evergreen Environmental, Paul Kotarski, Plant Manager, Robert Angione, AH Environmental, and Douglas R. Forman, AH Environmental. Representatives of the Bureau of Hazardous Waste were Tom Downey, Tom Brady, Mike Nalbone and Wayne Howitz.

At 1530 hrs Bureau personnel proceeded to sample Evergreen's tanks. The samples were collected through the use of a 32 oz. Koehler Sampling Bacon Bomb. Composite samples were obtained for each stationary storage tank, with the exception of stationary tanks #1 and 2. These tanks contained a large amount of sludge thus preventing sample collection by the Koehler Bacon Bomb. After sampling was completed for each tank, the Koehler sampling bomb was rinsed with #2 diesel fuel oil provided by Evergreen.

The following samples were obtained on March 5, 1982:

| <u>DEP sample #</u> | <u>Source of sample</u> | <u>Amount of material in tank</u> |
|---------------------|-----------------------------|-----------------------------------|
| WH140 | Tank #1 | 10,000 gal. |
| WH141 | Tank #2 | 14,000 gal. |
| WH142 | Tank #3 | 14,000 gal. |
| WH143 | Tank #5 | 37,000 gal. |
| WH144 | Tank #6 | 7,500 gal. |
| WH145 | diesel fuel rinse | N/A |
| WH146 | Tank #4 | ? |
| WH147 | Tank #10 | 14,000 gal. |
| WH148 | Tank #9 | 14,000 gal. |
| WH149 | Tank #8 | 14,000 gal. |
| WH150 | Tank #7 | 14,000 gal. |
| WH151 | Tank #11 | 14,000 gal. |
| WH152 | Tank #12 | 14,000 gal. |
| WH153 | Tank #14 | 14,000 gal. |
| WH154 | Tank #15 | 14,000 gal. |
| WH155 | Tank trailer #1223 comp. #1 | 100 gal. |
| WH156 | Tank trailer #1223 comp. #4 | 1,500 gal. |
| WH157 | Tank trailer T101 | |
| WH158 | Tank trailer T108 | |

WH159
WH160
WH161
TD078
TD080

Clarifier
Sludge box
Orange caustic tank
Process trench
Drum #1553

75,000 gal.
1,500 gal.

At 2030 hrs. sampling was completed.

At 0130 hrs. on March 6, 1982, all samples were submitted to Bill Ziegler, Laboratory Manager of Stablex-Reutter Inc., Camden, NJ, for analyses.

20-2

RECEIVED

JAN 3 11 47 AM '82

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGIONAL WATER RESOURCES

26 FEDERAL PLAZA

NEW YORK, NEW YORK 10278



29 DEC 1982

Mr. George J. Gregory
471 Division Street
Elizabeth, New Jersey 07027

Subject: Name Change from Kit Enterprises to Evergreen Environmental Industries - EPA ID Number NJD096873922

Dear Mr. Gregory:

By letter of August 20, 1981 you notified the U.S. Environmental Protection Agency that Kit Enterprises had changed its name to Evergreen Environmental Industries. Enclosed you will find copies of Forms 1 and 3, Part A of the Hazardous Waste Permit Application. In order that our records might accurately reflect the changes made, please resubmit a signed completed Form 1 for your facility. Also, if the signing officials have changed since your original application, you will have to resubmit page 4 of Form 3 containing the new signatures.

If you have any questions about this matter, please contact Tom Taccone of my staff at (212)264-9881.

Sincerely yours,

Richard A. Baker

Richard A. Baker
Chief
Permits Administration Branch
Office of Policy & Management

Encl.

cc: ~~George McCann, NJDEP~~

Div. of Waste Management ✓

MEMONEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

TO Ronald T. Corcory *RC*
 FROM Kevin Cashlin *KC* DATE 3/8/82
 SUBJECT Evergreen Environmental Industries

The following analytical results were transmitted to me via telephone by Mr. Jim Johnson, representative of Stablex-Reutter on the above date.

| <u>Sample No.</u> | <u>Source</u> | <u>PCB's (ppm)</u> | <u>Oil and Grease (%)</u> | <u>Flash point (°F)</u> |
|-------------------|--------------------------|--------------------|---------------------------|-------------------------|
| WH159 | clarifier composite | 197 | 67 | 7180 |
| WH140 | #1 tank | 1,400 | 50 | 7180 |
| WH141 | #2 tank | 40 | 41 | 7180 |
| WH142 | #3 tank | 30 | 68 | 130 |
| WH143 | #5 tank | 20 | 82 | 130 |
| WH144 | #6 tank | 900 | 46 | 145 |
| WH144 | diesel fuel rinse | 70 | 86 | 155 |
| WH146 | #4 tank | 6 | 60 | NF |
| WH153 | #14 tank | 1,100 | 25 | NF |
| WH154 | #15 tank | 2 | 59 | NF |
| WH155 | TKR #1223 section #1 | 950 | 57 | NF |
| WH156 | TKR #1223 section #4 | 430 | 66 | NF |
| WH160 | sludge box/preclarifier | 10 | 16 | NF |
| TD078 | process trench composite | 6.3 | 2.6 | NF |

20-11



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
JOHN FITCH PLAZA, CN027, TRENTON, N.J. 08625
DIVISION OF WASTE MANAGEMENT

September 29, 1982

CFD
FYI + File

Mr. Paul Francisco, President
Evergreen Environmental Industries
846 Green Street
Iselin, NJ 08830

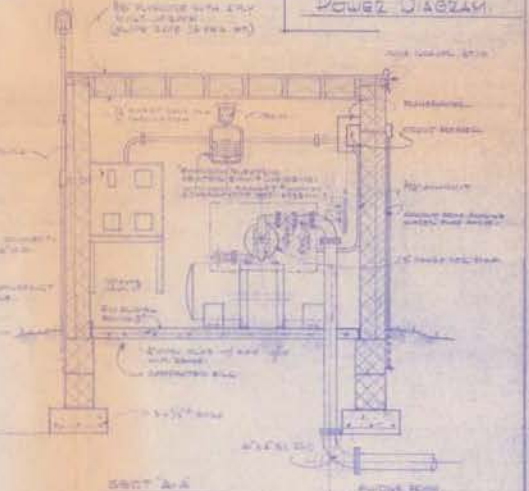
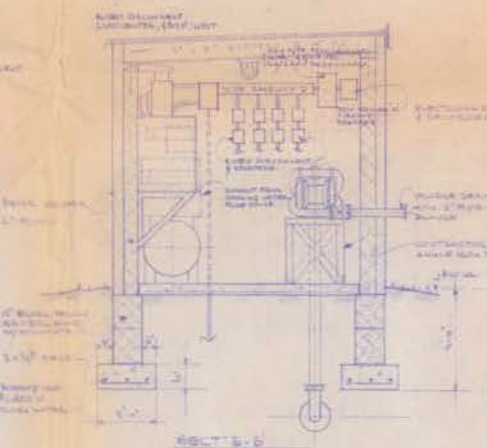
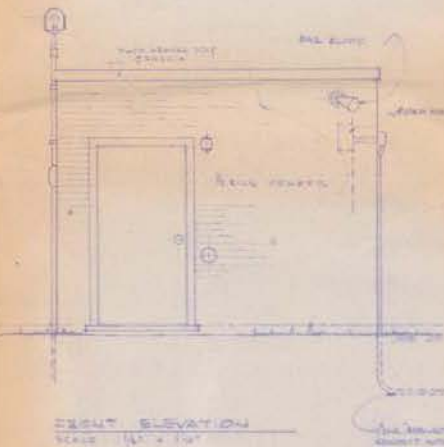
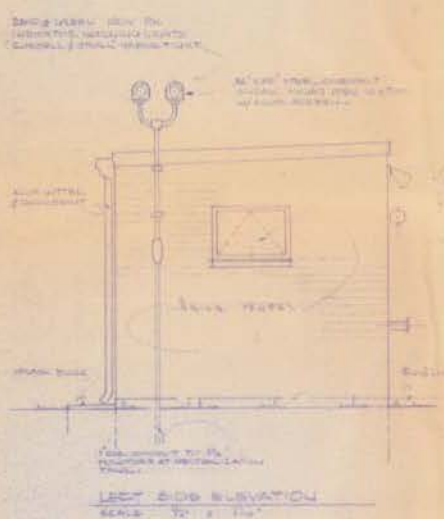
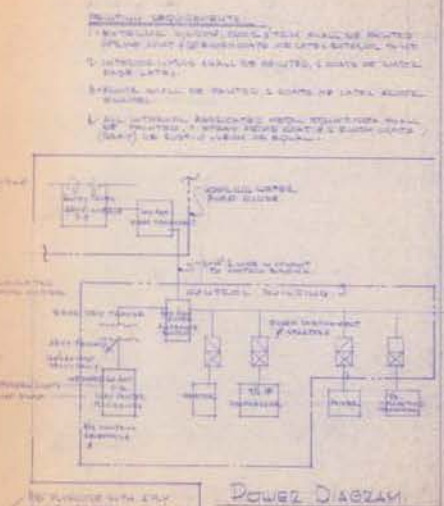
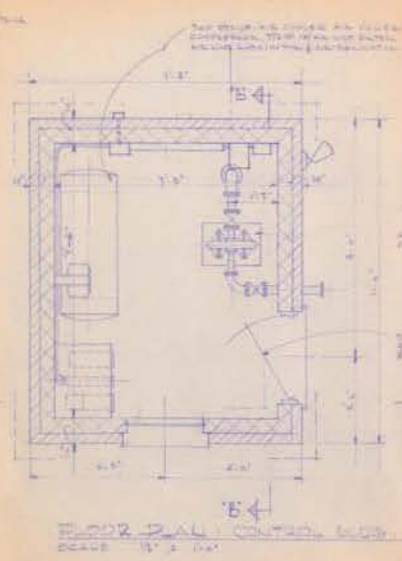
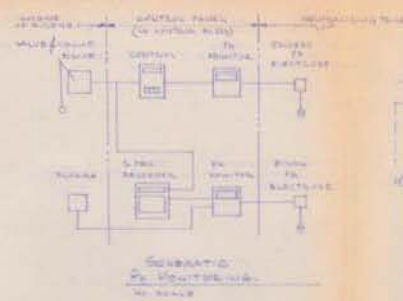
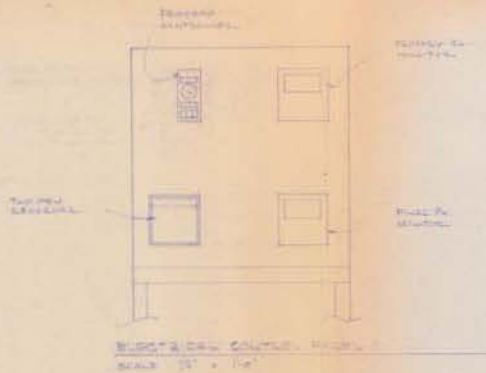
RE: Notice of Violation and
Penalty Settlement Offer

Dear Mr. Francisco:

Pursuant to the Solid Waste Management Act, N.J.S.A. 13:1E-1, et seq. and regulations promulgated thereunder, specifically N.J.A.C. 7:26-7.6(b) and 7:26-12.3(e)2, the following findings of fact are made:

FINDINGS

1. On January 13, 1982, a representative of the Department conducted an inspection of Evergreen Environmental Industries (hereinafter, "Evergreen"), Lot 8, Block 4281, City of Elizabeth, Union County, New Jersey.
2. During the inspection, Evergreen Environmental Industries was observed by the representative of the Department to have accepted a shipment of hazardous waste, specifically, alkaline solution NOS contaminated with oil from Allied Kelite under New Jersey Hazardous Waste Manifest No. 0093896.
3. N.J.A.C. 7:26-7.6(b)1-6 requires where a facility receives hazardous waste accompanied by a manifest, the owner or operator or his/her agent must sign and date each copy of the manifest; note any significant discrepancies in the manifest on each copy of the manifest; give the hauler at least one copy of the signed manifest; within thirty (30) days after delivery, send a copy of the manifest to the generator; forward the pertinent portion of the approved



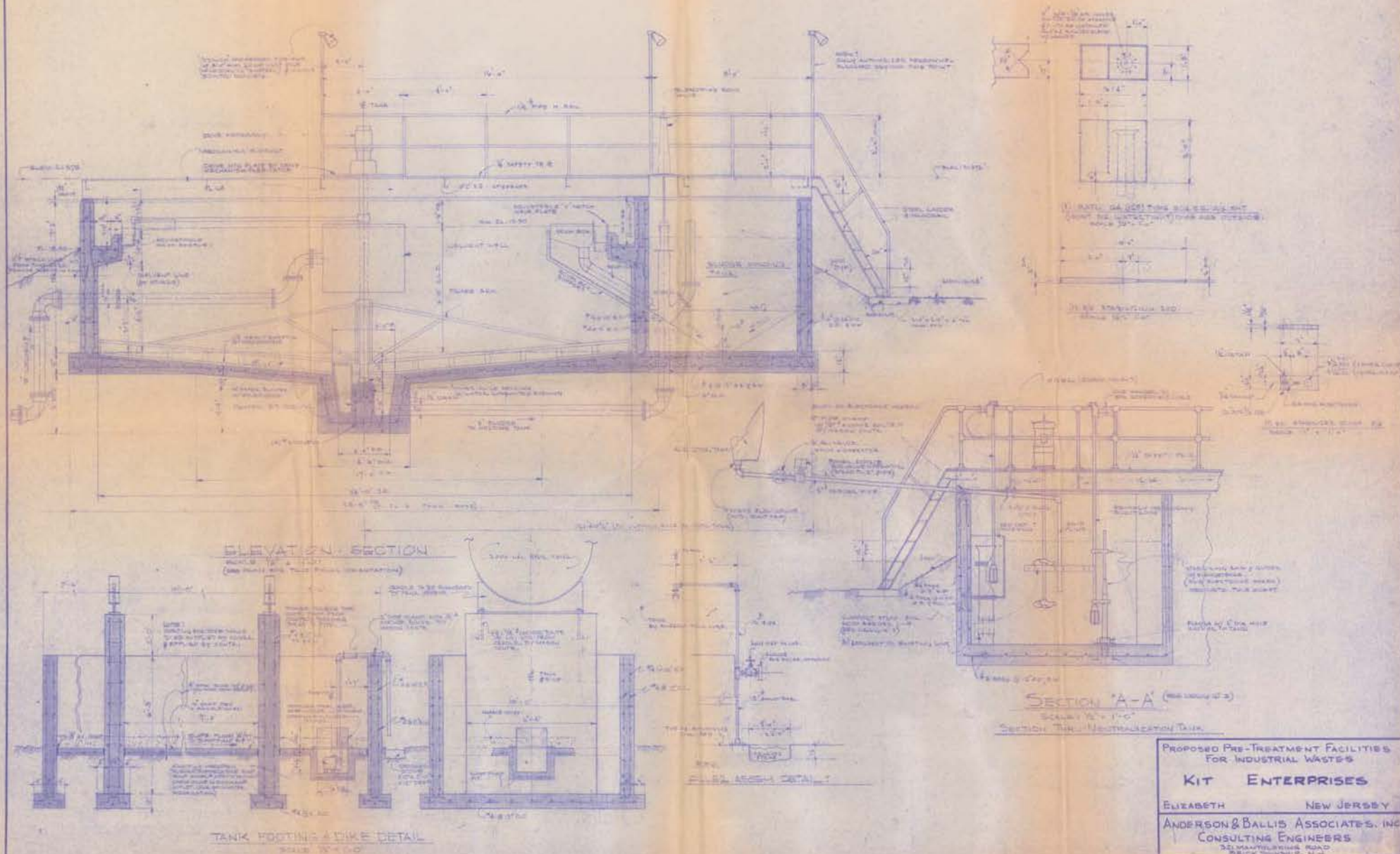
PROPOSED PRE-TREATMENT FACILITIES
FOR INDUSTRIAL WASTES

KIT ENTERPRISES

ELIZABETH NEW JERSEY

ANDERSON & BALLIS ASSOCIATES, INC.
CONSULTING ENGINEERS
301 MAINTOWN ROAD
ELIZABETH, N.J.

DATE 10/11/66
BY J. L. B. 11011
CHECKED BY J. L. B. 11011
SCALE 1/4" = 1'-0"



PROPOSED PRE-TREATMENT FACILITIES
 FOR INDUSTRIAL WASTES

KIT ENTERPRISES

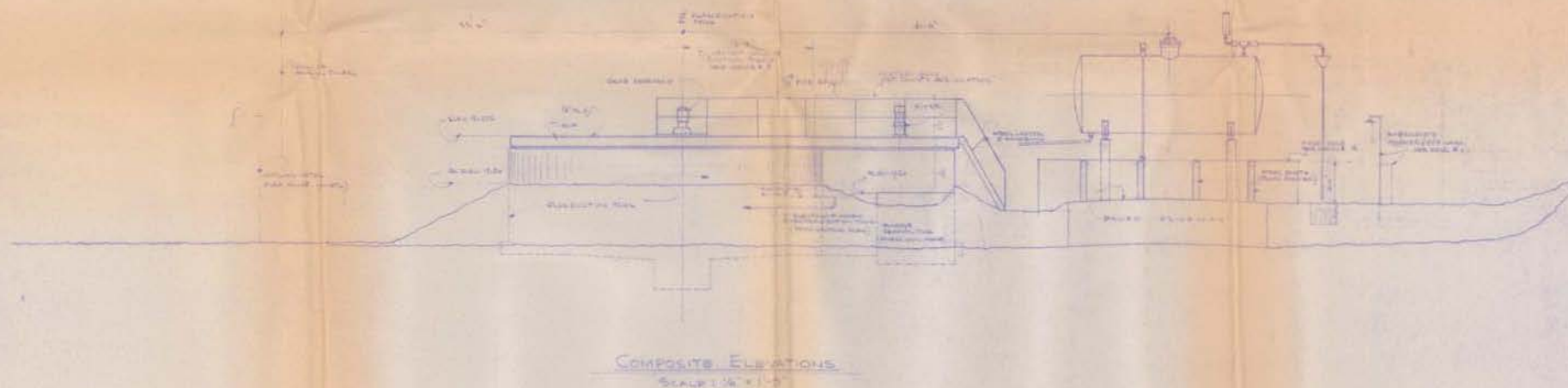
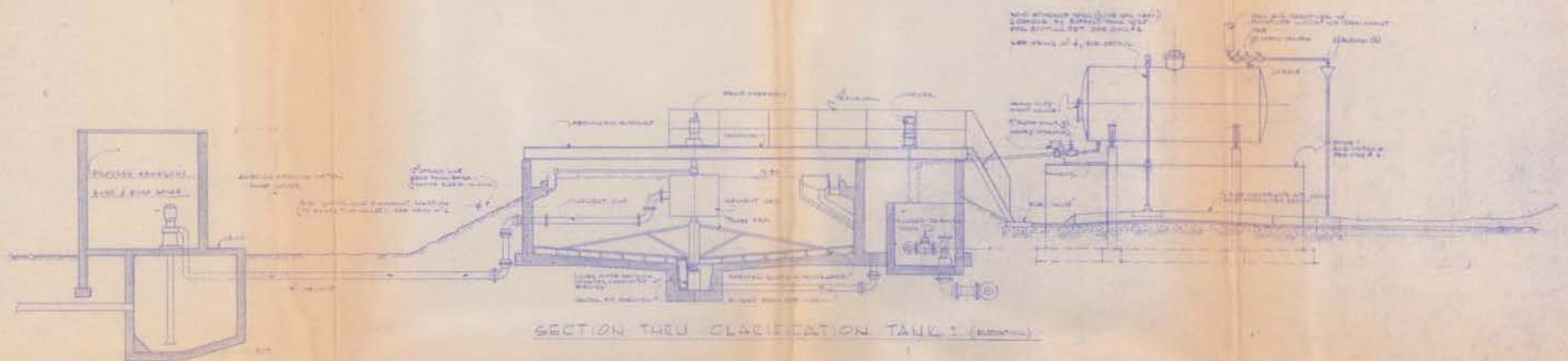
ELIZABETH NEW JERSEY

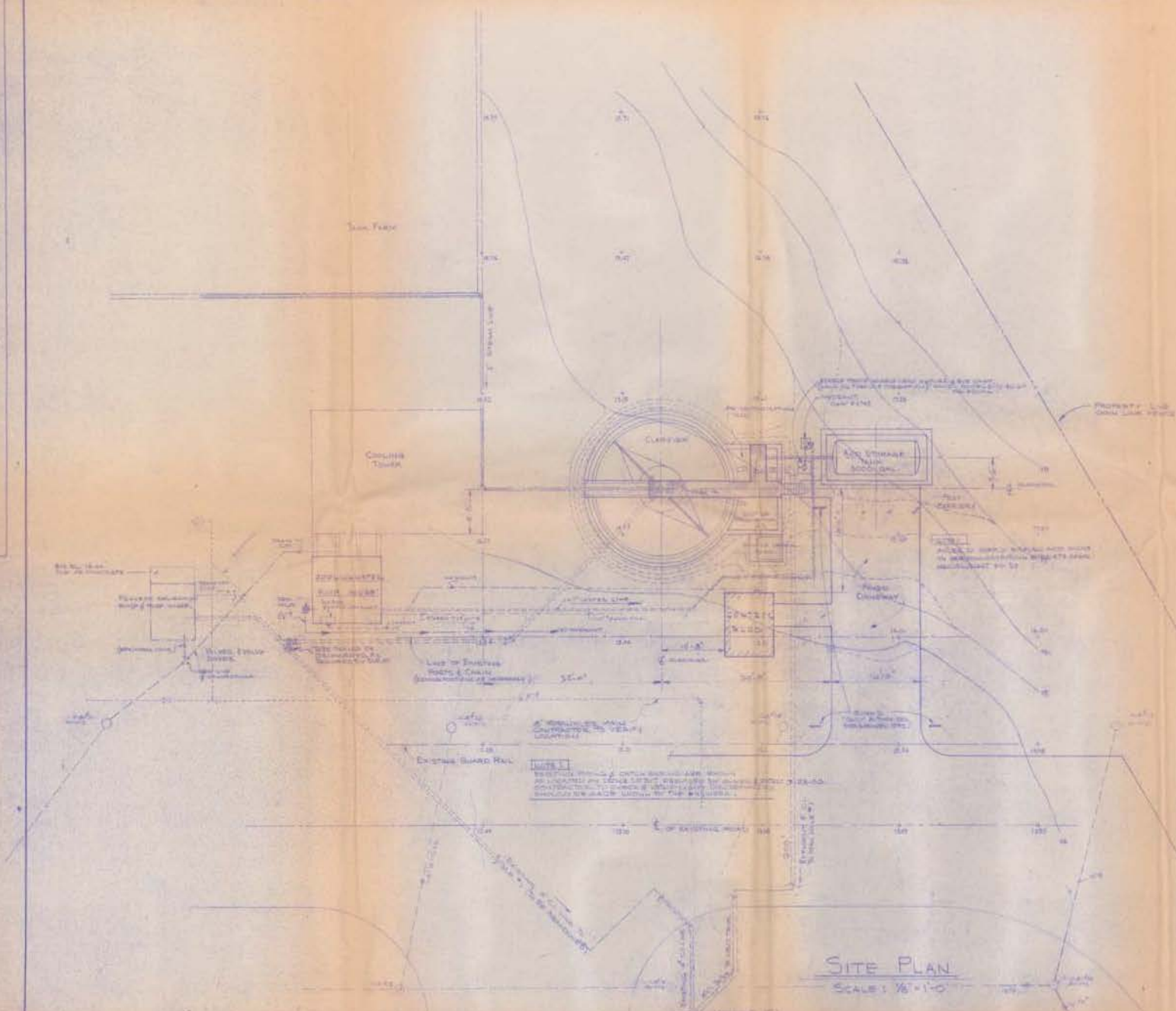
ANDERSON & BALLIS ASSOCIATES, INC.
 CONSULTING ENGINEERS

30 MANHATTAN ROAD
 NEW YORK, N.Y.

| | | | | |
|-------------|----------|----------|----------|----------|
| PROJECT NO. | DATE | BY | CHKD BY | FIG. |
| 100-100-100 | 10-10-10 | 10-10-10 | 10-10-10 | 10-10-10 |

NO. 4 OF 5





GENERAL NOTES:

1. ALL STRUCTURES TO HAVE A CONCRETE FLOOR SLAB.
2. ALL STRUCTURES TO HAVE A CONCRETE FLOOR SLAB.
3. ALL STRUCTURES TO HAVE A CONCRETE FLOOR SLAB.
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10. ALL STRUCTURES TO HAVE A CONCRETE FLOOR SLAB.

SITE PLAN
SCALE: 1/8" = 1'-0"

| | | | |
|--|------------|-----------------|---------------------|
| PROPOSED PRE-TREATMENT FACILITIES FOR INDUSTRIAL WASTES | | | |
| KIT ENTERPRISES | | | |
| ELIZABETH | | NEW JERSEY | |
| ANDERSON & BALLIS ASSOCIATES, INC. | | | |
| CONSULTING ENGINEERS | | | |
| DE MANHATTAN ROAD | | | |
| NEW YORK, N.Y. | | | |
| DATE: 10-1-66 | BY: A.B.B. | CHECKED: J.M.B. | SCALE: 1/8" = 1'-0" |
| PROJECT NO. 1011 | T1011 | | |

PROPOSED PRE-TREATMENT FACILITIES
FOR INDUSTRIAL WASTES
ELIZABETH, NEW JERSEY
FOR
KIT ENTERPRISES
INC.

ANDERSON & BALLIS ASSOCIATES, INC.

CONSULTING ENGINEERS

321 MANTOLOKING ROAD

BRICK TOWNSHIP, N.J.

Robert M. Ballis
H. P. E. L. S. P. 1966

FEB 1978

RECEIVED SWA
ENG. SECT.

OCT 16 1978